



**APPEAL PETITION
SAN BERNARDINO COUNTY
BOARD OF EDUCATION
601 North E Street
San Bernardino, California 92415-0020**

SUBMITTED:

**FOR FURTHER INFORMATION, PLEASE CONTACT:
LAWRENCE C. WYNDER, LEAD PETITIONER
888-416-7737
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S.C.A.L.E. Leadership Academy

APPEAL PETITION
SAN BERNARDINO COUNTY
BOARD OF EDUCATION
601 North E Street
San Bernardino, California 92415-0020

SUBMITTED:

COMPLETED

Linda T. Fabre
Superintendent

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CERTIFICATE OF COMPLETENESS

I, Lawrence C. Wynder, do hereby certify that I met with Rialto Unified School District staff on this date to validate the completeness of the instant petition and that the completed petition for SCALE Leadership Academy was submitted on this date.

Date: _____

Lawrence C. Wynder, Petitioner

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INTRODUCTION

SCALE is an acronym for “Schools and Communities for Advanced Learning Experiences.” The SCALE mission was conceived with a vision of founding a distinguished learning institution that will transform the common student into an exceptional high achiever.

Based on this vision, SCALE is firmly committed to establishing an institution that is deeply rooted in best practices research, sound educational practice, and innovative approaches to enhance learning. Essential to achieving SCALE’s mission is a commitment to an educational model based on accountability, diversity, leadership, and learning.

Engrained in the name of SCALE is the commitment to providing students an *advanced learning experience*. This is primarily achieved through goal-directed hard work or deliberate practice.¹¹ SCALE has designed an educational program that, in every facet, provides an increased opportunity for deliberate practice. Through the longer school day and school year, intense levels of internal accountability, continued self-evaluation and measurement against challenging standards, and concentrated efforts toward key academic outcomes, SCALE students will have greater opportunities to achieve high levels of performance.

Fundamental to this commitment is an educational philosophy that all students have the ability to perform at high levels in an environment of high expectations and high levels of support. Not only does every child have the ability to perform any task placed upon him or her, but SCALE also believes that each child has unique gifts. With this conjectural model, it is our responsibility to provide high levels of support, seek exceptional gifts in each child and to “SCALE up” each student’s intellectual gifts to the point of unique and evidentiary mastery. Finally, SCALE is committed to tracking all levels of progress and records of implementation to ensure the successful replication of its success.

¹ Winner, E. (2000). The Origins and end of giftedness. *American Psychologist*, 55,159-169.

AFFIRMATIONS AND ASSURANCES

I Lawrence Wynder, “the petitioner”, hereby certifies that the information submitted in this application for a charter for a California public charter school named SCALE Leadership Academy **submitted on appeal to the San Bernardino County Board of Education (“County Board of Education”) for authorization and to the San Bernardino County Superintendent of Schools (“County Superintendent”) for oversight** is true to the best of the knowledge and belief of petitioner. It is further certified that this school is to be located within the boundaries of the Rialto Unified School District and this application does not constitute the conversion of a private school to the status of a public charter school.

Further, it is understood that if awarded a charter:

- SCALE Leadership Academy will be non-sectarian in its programs, admissions policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of any characteristic described in Education Code Section 220 including but not limited to race or ethnicity, religion, sexual orientation, nationality, gender, gender identity, gender expression, disability, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code. Except as provided in Education Code Section 47605 (d)(2), admission to SCALE Leadership Academy shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state (Education Code § 47605(d)).
- SCALE Leadership Academy will admit all students who wish to attend SCALE Leadership Academy. However, if the number of pupils who wish to attend the charter school exceeds the school’s capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to students currently attending the charter school and pupils who reside in the District, except as provided by for in Section 47615.4. Other preferences may be permitted by the chartering authority on an individual basis and only if consistent with the law. In the event of a drawing, the **County Board of Education** shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand. (Education Code § 47605(d)(2)(A)-(C)).
- SCALE Leadership Academy will meet all statewide standards and conduct the student assessments required, pursuant to Education Code § 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. (Education Code § 47605(c)(1)).
- SCALE Leadership Academy will be deemed the exclusive public school employer of the employees of SCALE Leadership Academy for purposes of the Educational Employment Relations Act. (Education Code § 47605 (b)(5)(O)).
- SCALE Leadership Academy will adhere to Section 504 of the Rehabilitation Act of 1974 (“Section 504”), Title II of the Americans with Disabilities Act of 1990 (“ADA”), and the Individuals with Disabilities in Education Improvement Act of 2004 (“IDEA”).

- SCALE Leadership Academy will meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. (Title 5 California Code of Regulations § 11967.5.1(f)(5)(c)).
- SCALE Leadership Academy will ensure that its teachers hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. (California Education Code § 47605(l)).
- SCALE Leadership Academy will, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level. (California Education Code §47612.5(a)(1)(A)-(D)).
- If a pupil is expelled or leaves SCALE Leadership Academy without graduating or completing the school year for any reason, SCALE Leadership Academy will notify the District of the pupil's last known address within 30 days , and will, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. (California Education Code § 47605(d)(3)). This paragraph applies only to pupils subject to compulsory full-time education pursuant to Education Code §48200.
- We will follow any and all other federal, state, and local laws and regulations that apply to California charter schools, including but not limited to:
 - SCALE Leadership Academy will not use a student's place of residence (nor the residence of a parent/guardian) to determine admission to the school.
 - SCALE Leadership Academy will not require any child to attend nor any employee to work at the charter school.
 - SCALE Leadership Academy will maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.
 - SCALE Leadership Academy will on a regular basis consult with its parents and teachers regarding its education programs.
 - SCALE Leadership Academy will comply with any jurisdictional limitations to locations of its facilities.
 - SCALE Leadership Academy will comply with all laws establishing the minimum and maximum age for public school enrollment and will not enroll pupils over 19 years of age unless continuously enrolled in a public school, the student is not over the age of 22 years and making satisfactory progress toward high school diploma requirements.
 - SCALE Leadership Academy will comply with all applicable portions of the No Child Left Behind Act ("NCLB").
 - SCALE Leadership Academy will comply with the Brown Act.
 - SCALE Leadership Academy will comply with the Public Records Act.
 - SCALE Leadership Academy will comply with the Family Educational Rights and Privacy Act.
 - SCALE Leadership Academy will meet or exceed the legally required minimum of school days.
 - SCALE Leadership Academy will maintain all necessary and appropriate

- insurance coverage at all times.
- SCALE Leadership Academy accepts and understands its obligations to comply with Education Code §47611 (STRS) and §41365 (Revolving Loan Fund).

Signature: _____

FOUNDING GROUP

Lawrence C. Wynder II. Lawrence Wynder has worked in all areas of education from teacher's assistant, teacher, coach, administrator, and adjunct faculty in the elementary, middle, high school, and college levels. He earned his Bachelor of Arts degree in Social Science at the University of La Verne and his Master's degree in Educational Administration from Claremont Graduate University. Mr. Wynder is in the process of completing his Doctorate degree at the University of Southern California in the study of K-12 Urban Educational Leadership. He also holds both Teaching and Administrative credentials. He is committed to founding a distinguished learning institution with a hope of making contributions to school reform in K-12 settings.

Alicia Jao. Alicia Jao received her Bachelor's degree from the University of Southern California in Business and her Master's degree in Business Administration from Stanford's Graduate School of Business. Ms. Jao has worked as an investment professional at Tenaya Capital (formerly Lehman Brothers Venture Partners), a mid-stage technology venture capital firm. Ms. Jao has advised the Los Angeles Unified School District on alternative sources of income to ensure predictability and higher quality education. Specifically, she was commissioned by the then-CFO to explore funding opportunities in the form of corporate partnerships. Currently, she is advising Coastline Community College on its international expansion program to provide U.S. college and English language preparation to international students.

Dat X. Nghiem. Dat Nghiem holds a Bachelor of Science degree in Biological Sciences from the University of California in Irvine and a Doctorate of Philosophy degree in Immunology and Cancer Biology from the University of Texas in Houston and MD Anderson Cancer Center. Dr. Nghiem has served as a volunteer educator for inner city youth at KIPP Academy charter school in Houston, Texas and at the University of Houston. He has additionally served as an educator for MD Anderson Cancer Center, teaching graduate students and presenting at national and international conferences around the world. Dr. Nghiem is currently a Medical Science Liaison for Bristol-Myers Squibb, serving as an educator and expert consultant for thought leaders and physicians on the pathophysiology and treatment of viral Hepatitis.

Charlene J. Wynder. Charlene Wynder earned her Bachelor of Arts degree from the University of Southern California in Communication and Political Science. She obtained a Juris Doctor at Loyola Law School. While in law school, Ms. Wynder conducted specialized research on civil rights issues in education and volunteered at the Los Angeles Disability Rights Legal Center ("DRLC") as part of the Education Advocacy Project, where she represented and advocated on behalf of special education students. As part of her work at the DRLC, Ms. Wynder conducted public workshops related to the legal rights of special education students to parents and other community members. Currently, Ms. Wynder is an Associate at Dapeer, Rosenblit, and Litvak, LLP, where the majority of her practice is in civil litigation and municipal law.

Michael Jules. Michael Jules has served in all levels of education, which includes teacher, counselor and administrator for K-12, Adult School and Community College campuses. He holds professional credentials for teaching, counseling and administration. Mr. Jules' educational degrees include an Associate of Arts degree in business management, a Bachelor of Arts degree in Business Management, a Master's of Science degree in Behavioral Science and a Master of Arts degree in Counseling. Mr. Jules is the President and Owner of Jules Counseling Service, a school counseling consulting service to charter schools.

Phillip M. Placenti. Phillip M. Placenti is Assistant Dean for Admission and Student Affairs at the USC Thornton School of Music. In this capacity, Mr. Placenti gives leadership to the areas of recruitment, academic advisement, enrollment management, and financial aid. He holds a Bachelor's Degree in piano and voice and a Master's Degree in Public Administration, both from the University of Southern California. Mr. Placenti has ten years of experience in higher education administration and is currently working towards completing his Doctorate in Education, with an emphasis in Educational Psychology, at the University of Southern California. He also serves on a volunteer basis as an associate pastor overseeing children's ministries for an urban congregation in Los Angeles.

Telly Tse. Telly Tse is a special education teacher with experience in non-public schools and all levels of K-12 education. He holds credentials in both special education and administrative services. Tse earned a Bachelor of Arts degree in History from UCLA, a Masters degree in Special Education from CSULA, and is currently working towards a Doctorate in Education degree at USC.

LEGAL ADVISORS

Lisa A. Corr; Middleton, Young, and Minney, LLP

Lisa Corr graduated with a Bachelor of Arts degree in English, Anthropology and Fine Arts from Hofstra University in Hempstead, New York. Lisa graduated with a Juris Doctorate from the University of San Diego School of Law in 1997 and has represented charter schools for over nine years. Her primary focus has been on special education and the developmental phase of charter schools, including the charter petition process and negotiation of legal and fiscal agreements between a charter school and authorizers. Her areas of practice also include policy development, governance, facilities, non-classroom legal compliance, revocation and audit defense, student discipline and dispute resolution. Lisa is a frequent presenter for the California Charter Schools Association, the California Consortium of Independent Study, and the APlus+ personalized learning network and she was the lead petitioner and on the Founding Board of Directors for Westlake Charter School, where her children attend school.

Andrea Sexton; Middleton, Young, and Minney, LLP

Andrea Sexton obtained her Juris Doctorate from the University of the Pacific, McGeorge School of Law in 2004. She received a Bachelor of Arts in Political Science from the University of California, Los Angeles in 1995. Prior to law school, Andrea worked as a Student Affairs Officer for UCLA, focusing on high school recruitment and undergraduate admissions. She also spent two years at a nonprofit working on education and community development issues. While in law school, she gained experience at the McGeorge Business Clinic representing startup corporations and nonprofits.

Prior to joining Middleton, Young & Minney, LLP, Andrea practiced civil litigation in Sacramento, California. She is a member of the State Bar of California, the Sacramento County Bar Association, and the Women Lawyers of Sacramento.

ELEMENT A – DESCRIPTION OF THE EDUCATIONAL PROGRAM

“A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an ‘educated person’ in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.” (Ed. Code § 47605 (b)(5)(A)).

STATEMENT OF NEED

Proposed Location: Rialto Unified School District
Proposed Grades to be Served: 6-8

Demographic and Academic Achievement Data Overview²

The Rialto Unified School District (“RUSD” or “the District”) serves 27,170 students in 29 schools. The district serves a diverse community, which consists of a population that includes 75.5% Hispanic/Latino, 15.9% African-American, 5.4% White, and 3.2% other. The majority of RUSD students (73%) during the 2008-2009 school year identified themselves as Hispanic/Latino. Just under a third of the District’s students are English Language Learners with the majority of these students speaking Spanish as their native language.

Like many urban districts, RUSD serves many students from families near or below the poverty line, with 80.2% qualifying for free or reduced lunch through the National School Lunch Program and 13.8% of families and 17.4% of the population below the poverty line.

A large percentage of students in the District are performing lower than the state average and comparable schools. District-wide performance on the California Standards Test (“CST”) is below the state average, with only 41% of students district-wide earning a proficient or advanced score on the English-Language Arts portion of the test and only 38% scoring proficient or advanced in math, 29% proficient or above in Science, and 46% proficient or above in History or Social Science. The district’s Base API score for 2009-2010 was 732, but the average for Hispanic students was lower at 733, compared to 777 for white students and 857 for Asian students. The District’s high schools average a 69.9 graduation rate from 2008-2009, compared with the state average of 78.6%. Data for the 2009-2010 school year regarding graduation rates has yet to be released.

Among the two-thirds of RUSD students who do receive a high school diploma, there are students from all groups that enroll in fewer college-preparatory classes in comparison to the state average. Based on 2008-2010 data, only 18.2% of students enrolled in the District’s high school took UC required courses.³ In addition, this is persistent among ethnic/racial groups, with various groups well below the state average.

² <http://www.cde.ca.gov/dataquest> (2009-2010)

³ <http://www.cde.ca.gov/dataquest> (2009-2010)

Figure 1 reflects the boundaries of the District's five (5) middle schools. Figure 2 reflects that two of five schools have API scores that are over 720, though most are under 700. Three out of four middle schools have a student enrollment of over 1100 students and one school serves approximately 1000 students.⁴ This data is particularly significant because the vast majority of Rialto's students attend their neighborhood schools, and there is no other free public alternative to District schools.

As evidenced in Figure 3, charter schools that serve similar student populations in their communities, offer significantly smaller school sizes and have higher student achievement data compared with those of District schools in Rialto.

SCALE Leadership Academy believes that every child and family in California, particularly those residing in Rialto and the surrounding neighborhoods, deserve choice in the public middle schools offered to them. Serving a demographic population that represents the local community, as outlined in the data above, we believe that we can alleviate the pressures placed on the local district school system and succeed in providing an education that ensures academic mastery and preparation for the rigors of high school and college.

⁴ <http://www.ed-data.k12.ca.us/welcome.asp> (Based on 2009-2010 Data)

Figure 2. Demographic Information for Prospective Site⁵

School Name	Grade Span	Enrollment	Average Class Size	% English Learners	% Free Meals	Largest Ethnic Group	% Minority	API Base Scores	API State Rank (2008-09)
Kolb Middle	6-8	1059	27.8	24.5	77.8	Hispanic	92.0	690	3
Frisbie Middle	6-8	1137	28.8	29.1	87.0	Hispanic	95.7	693	3
Rialto Middle	6-8	1492	26.2	31.6	88.1	Hispanic	95	687	3
Ethel Kucera Middle	6-8	1291	29.9	19.1	70.5	Hispanic	89.7	759	4
William G. Jehue Middle	6-8	1468	30.9	30.2	83.2	Hispanic	94.3	740	4

Figure 3. Demographic and Achievement Data for Charter Schools Serving Grades 6-8 With Similar Demographics⁶

District Name	School Name	Grade Span	Enrollment	% English Learners	% Free Meals	Largest Ethnic Group	% Minority	API Base Scores	API Statewide Rank
RUSD	Rialto Middle	6-8	1263	36.2	83.1	Hispanic	95	687	3
LAUSD	College-Ready Middle Academy #3	6	106	39.6	92.5	Hispanic	100%	725	4
LAUSD	ICEF Vista Middle Academy	6-8	143	0	83.2	Hispanic	96.5	732	4
LAUSD	California Academy for Liberal Studies	6-8	257	17.1	83.7	Hispanic	99.2	797	7
Los Angeles LAUSD	Lakeview Charter Academy	6-7	225	9.3	84.9	Hispanic	99.6	827	8

⁵ <http://www.ed-data.k12.ca.us/welcome.asp>

⁶ <http://www.ed-data.k12.ca.us/welcome.asp>

Enrollment Plan

SCALE Leadership Academy believes that the middle school years are crucial, formative years, and that the choices students make during these years will set them on a path for life. SCALE Leadership Academy intends to open in August 2012 with 125 sixth graders. Each subsequent year, we plan to enroll a new class of 125 students for the 6th grade with students in the sixth grade advancing to the next grade level. This growth plan will allow the school to create a cohesive school culture, where all students and families will be known and feel a sense of belonging. However, if there is significant demand for 7th grade in Year 1, The Charter reserves the right to open with grades 6 and 7 in Year 1 and expand to eight grade in the following year.

Figure 4. Enrollment and Faculty Projections

SCALE LEADERSHIP ACADEMY ENROLLMENT AND FACULTY PROJECTIONS					
	Year 1	Year 2	Year 3	Year 4	Year 5
	2012-13	2013-14	2014-15	2015-16	2016-17
Grade 6	125	125	125	125	125
Grade 7		125	125	125	125
Grade 8			125	125	125
Total	125	250	375	375	375
Total of Teaching Staff	6	13	20	20	20

EDUCATIONAL PHILOSOPHY

Mission

The mission of SCALE Leadership Academy is to establish a grades 6-8 public charter school that sets students on a path for success in high school, college, and beyond. Upon leaving SLA it is our aim that SCALE students: 1) are prepared to perform at top levels in their high schools; 2) have obtained an early college awareness; 3) will have a drive to succeed in all subjects, embracing all academic challenges; and, 4) have developed a personal commitment to serve as leaders of the 21st century.

Vision

SLA envisions a high performing school that is centered around quality leadership and quality instruction in a supportive and caring school environment.

SCALE's education program draws upon a wide range of educational research, which includes learning and instruction, educational psychology, literacy studies, multi-cultural education, cognitive studies, and specifically, how these subjects identify conditions required for the success of the "at risk" student. Our development team is dedicated to providing a learning environment that produces well-rounded students who are prepared for both college and the rapidly changing 21st century job market. Our development team has worked with similar student populations in the Los Angeles and surrounding areas as educators, site administrators, and curriculum developers. SCALE Leadership Academy's education program design is based not only on the research findings of expert educators, but it is closely tied to core instructional elements that the SCALE Leadership Academy development team has implemented with students in both traditional schools and alternative educational settings. We intend to create a setting to meet the needs of each student by combining a rigorous academic education with a personalized support structure that ensures their success.

The Four Pillars of SCALE Leadership Academy

1. **Accountability**. SCALE will implement key models and concepts to promote bureaucratic, community, professional, and fiscal accountability. SCALE believes that a commitment to accountability will ensure more efficient school operations and allow our school to effectively address issues in leadership, diversity, and learning that are prevalent in traditional school settings. SCALE's commitment to accountability is closely linked to school leadership. SCALE's leadership team will incorporate key research-based strategies, policies, procedures, models, and establish settings to move the organization beyond simple goal assessments and toward documented success. SCALE will also orient its decision making around organization-wide interconnections that enhance the responsiveness and that positively impact classroom instruction.
2. **Equity/Multiculturalism**. SCALE staff will explore the causes and consequences of inequities in traditional classrooms and find research-based solutions to solving key issues related to our school. In addition, students will examine the importance and influence of education in their own cultural history and explore topics that are relevant to their identities. Teachers will provide culturally rich materials and resources that

include multiple perspectives. The School Director will continuously monitor four areas of diversity: *curriculum reform, cultural equity, multi-cultural competence, and equity in pedagogy*. The School Director will also consistently monitor key indicators to prevent academic inequities and work collectively with teachers, parents, and community stakeholders to provide balanced and equitable learning experiences for all students.

3. **Leadership**. SCALE's staff will focus on implementing leadership practices that transform schools into effective learning organizations. SCALE believes leaders must understand themselves, the schools they lead, and the complex social and political environments they are asked to navigate on a daily basis. SCALE defines quality leadership in a school context as having the following characteristics: 1) strong communication skills; 2) educational expertise; 3) knowledge of management concepts; 4) strong organizational skills; 5) inspirational leadership traits; 6) commitment to ethics; 7) commitment to the relationship development. SCALE will utilize a variety of analysis instruments to help school leaders develop a better understanding of and reflect upon their own leadership styles and behavioral tendencies. SCALE leaders will use this knowledge to make informed and objective decisions that effectively address situations and problems specific to our school culture.
4. **Learning**. SCALE will provide students with classroom experiences that are founded in current research and theoretical models in learning, motivation and instruction related to diverse, urban educational settings. SCALE leaders are also skilled in identifying learning challenges and solving them by understanding the research and theoretical foundations for developing instructional solutions.

Key Characteristics of SCALE Leadership Academy

1. ***Family-Community-School Partnerships***: SCALE Leadership Academy will actively engage families and the community in the life of the school. Students will engage in service to the community. Parents and families will be expected to be active participants in the education of their student and the school community as a whole. To support this initiative, Parents will be required to serve a mandatory 20 hours of volunteer time per year in support of the school mission.
2. ***Technology innovation and integration***: By implementing technology within the curriculum, SCALE Leadership Academy will ensure that students learn computer skills while pursuing academic goals.
3. ***Multi-cultural Learning Environment***: Multi-cultural literature and cultural references are integrated into the instructional experience, to increase the relevance of school in students' lives. The background and culture of all students is respected and valued.
4. ***Small Class Sizes***: By maintaining small class sizes, we believe we can more effectively provide individualized instructional goals and meet the needs of all students. Our goal is to maintain classes with no more than 24 students per class.
5. ***High Expectations***: All students will be expected to perform at high levels and all teachers are willing to provide the necessary support to allow for high achievement. Students are expected to turn in quality work, reach high levels of proficiency, and

engage in high level thought. Students are not only expected to perform at high levels on state assessments, but classroom assessments, projects, research papers, and performances. SCALE is committed to developing a standard that is set above state norms and establishes an ever-increasing bar to successfully build the learning capacity for a community of learners.

6. ***Quality Instruction:*** All classrooms will show evidence of continued positive academic growth. Instructional strategies are rigorous, engaging, and standards based. SCALE teachers will display the 10 characteristics of highly effective teachersⁱⁱ and make learning inclusive and relevant for all students.
7. ***Focus on Results:*** In order to assess attainment of the school's mission, it is essential that SCALE Leadership Academy staff commit to a focus on results. SCALE Leadership Academy will measure student success through a wide variety of assessments. One measurement of success will be student achievement on quarterly benchmark exams, ILP (Individual Learning Plan) results, and the California Standards Tests. The results will help teachers to focus their instruction on college-level skills and ensure academic rigor among all courses so that students are prepared to excel in college level classes.
8. ***Strong Academic Supports:*** SCALE will provide a variety of support services that address various student needs. Our goal is to ensure that every student has the confidence that they can obtain the assistance, resources, and the emotional, mental, and academic support they need to achieve their academic goals. As a middle school, SCALE understands our unique role to fulfill students' hierarchy of needs as presented by Maslow.⁷ School leaders firmly understand the importance of guiding each student's development to better ensure that students have the ability to focus more closely on their academics. SCALE will provide supports through the Advisory curriculum, ILPs, school counselor, SSTs, after school enrichment, and parent partnerships.
9. ***Authentic Learning Experiences:*** Lesson, unit, and learning experiences are well-planned, creative, and authentic for the purpose of engaging students.
10. ***More Time on Task:*** SCALE classrooms will teach from bell to bell with time-intensified environments. In addition, SCALE's mission includes providing increased school year, school days, and instructional time in comparison to traditional schools. Traditional schools provide 1800 hours of instruction during the school year. SCALE will provide 2100 hours of instruction to ensure that there is substantial academic growth for each student.
11. ***Strong University Partnerships:*** University volunteers, students, interns, professors, consultants, and researchers will be considered key stakeholders in shaping the SCALE curriculum and evaluating student progress and SCALE innovation. SCALE is committed to the continued study of best practices and will establish strong university relationships to ensure their successful implementation.

What it Means to be an Educated Person in the 21st Century

⁷ Huitt, W. (2007). Maslow's hierarchy of needs. *Educational Psychology Interactive*. Valdosta, GA: Valdosta State University. Retrieved [date] from, <http://www.edpsycinteractive.org/topics/regsys/maslow.html>

Our goal is to ensure that our students develop the skills and behaviors necessary for academic, personal, and professional success in the 21st century. The Massachusetts Institute of Technology faculty defines a well-educated person in the 21st century as having the following characteristics:⁸

- Strong knowledge of academic content;
- Problem solving capability (of both complex and well-structured problems);
- Creativity and the ability to work with multiple intelligences
- Motivation to learn, intellectual independence, and ability to self-educate;
- Communications skills (oral, written, teamwork, and interpersonal skills); and,
- Global awareness, vision, a sense of human responsibility and ethics.

We embrace the MIT faculty's emphasis that a 21st century learner must have both strong academic skills and specific character traits. While these descriptions were likely based on the characteristics expected of successful college students and graduates, SCALE Leadership Academy believes that these characteristics should be developed at an early age. Our structured environment, high-quality instruction, and focus on character development will create students who are self-motivated, competent, lifelong learners prepared for the challenges of earning a college degree. As our mission states, we will strive to equip our graduates with the academic skills, character traits, and intellectual habits to be successful in higher education and life.

Figure 5⁹

Ten Characteristics Shared by Excellent Urban Charter Schools	
Firm belief that all students can learn and achieve at high standards	Frequent internal assessments with data to drive instruction
Clear outcome-focused mission, understood by all, and evidenced throughout the school	Strong discipline code enforced by all
Leader(s) highly visible ensuring all are focused on mission	Clear and frequent communications with parents regarding student performance
Highly structured learning environment and organization	Strong curriculum focus on skill mastery
Classroom practices promote continuity (and predictability) from one class to another	Extended school day and school year

How Learning Best Occurs

⁸ MIT Presidential Task Force on Student Life and Learning, 1997. A summary of the discussions can be found at <http://web.mit.edu/committees/sll/JrFacWkshp.html>.

⁹ Compiled by Linda Brown, Executive Director of Building Excellent Schools.

Although there are many elements that contribute to successful learning experiences, SCALE Leadership Academy believes that learning best occurs when 6 key elements are successfully implemented in school settings. These are: 1) quality instruction; 2) research-based instructional strategies; 3) high expectations; 4) summative and formative data-driven decision making; 5) administrative and teacher leadership; and 6) professional development.

Curriculum and Instruction

SCALE believes that the Gradual Release of Responsibility Framework supports meaningful learning experiences. According to this framework, there are four (4) key phases to providing quality instruction: *focus lessons*, *guided practice*, *collaborative learning*, and *independent tasks*. Focus lessons clearly establish a purpose and model on how to complete a given task.¹⁰ For example, focus lessons must provide students with information about the ways in which skilled readers analyze arguments or how skilled writers outline complex ideas. While many strategies such as these can be used to model a task, most often this can be achieved by applying the think-a-loud method in which the teacher models the type of thinking required to solve a problem.¹¹ Next, guided instruction is done in small, purposeful groups and is an ideal time to differentiate instruction. This phase is followed by collaborative learning, which should be a time for students to apply information in novel situations or to engage in a review of previous knowledge. Finally, students receive an opportunity to refine their skills and transfer their learning by dedicating time to individual practice.

Ineffective teachers often apply only part of the four key phases.¹² For example, some teachers transition to independent practice immediately after modeling the task. This premature jump from modeling to independent practice limits students' opportunities to gradually perform tasks with increasing skill - from novel to more advanced levels of performance. The framework suggests that all four phases are necessary for quality instruction and provide students with better opportunities to transfer their learning experiences by building on new skills. The gradual release of responsibility framework can be found in Figure 6.

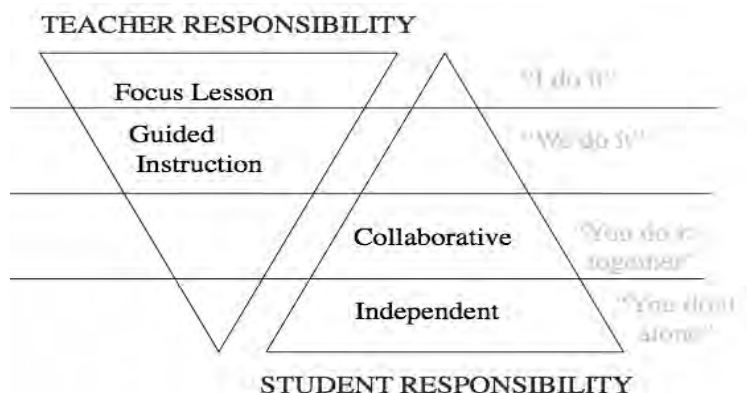
SCALE teachers will be expected to incorporate all four phases in unit and lesson plans to support student mastery of grade level content.

¹⁰ Fisher, D. and Frey, N. (2005). Better Learning through structured teaching: a framework for the gradual release of responsibility, Association for Supervision and Curriculum Development, Alexandria, VA.

¹¹ Fisher & Frey, 2005, Pg.5.

¹² Fisher & Frey, 2005, Pg.5.

Figure 6. Gradual Release of Responsibility Model¹³



Research-based Instructional Strategies

SCALE believes that the implementation of research-based instructional strategies also maximizes learning. Teachers should build on prior knowledge, create meaningful contexts, and provide comprehensive input and modeling.¹⁴ Building on prior knowledge allows students to make connections with past learning experiences and allows for a more comprehensive understanding of new concepts, facts, processes, algorithms, and problem solving strategies. Meaningful contexts have a positive effect on learning when learning becomes relevant to the student, which provides more opportunities for student engagement.

SCALE has identified research-based strategies that are consistent across multiple studies.¹⁵ Teachers must provide a range of opportunities for practice and application, and establish a positive and supportive environment. The gradual release of responsibility framework's four elements is consistent with these three suggestions where collaborative learning and individual practice provide opportunities for feedback and furthermore adequately supports each students' learning needs.

There are also a few research-based strategies that have a positive impact on language acquisition. Teaching students to read in their first language promotes higher levels of reading and achievement in English. What we know about good instruction and curriculum in general holds true for English language learners.¹⁶ Thus, the emphasis on gradual release, prior knowledge, and feedback are a few strategies that are beneficial for all students regardless of the wide range of individual learning needs. These recommendations are essential to SCALE's vision for success and will be the basis whereby research-based strategies are evaluated and monitored.

¹³ Fisher, D. and Frey, N. (2005). Better Learning through structured teaching: a framework for the gradual release of responsibility, Association for Supervision and Curriculum Development, Alexandria, VA.

¹⁴ Dutro, S. and Moran, C. (2002) Rethinking English Language Instruction: An Architectural Approach

¹⁵ Dutro, S. and Moran, C. (2002) Rethinking English Language Instruction: An Architectural Approach

¹⁶ Goldenberg, C. (2008) Teaching English Language Learners: What the Research Does – and Does Not-Say. American Educator analysis. *Performance Improvement Quarterly*, 10(2), 22-41.

High Expectations¹⁷

SCALE believes that another key element of effective schooling is maintaining high yet reasonable expectations. Intellectual development is largely a response to what teachers expect and how those expectations are communicated.¹⁸ High expectation is at the top of essential elements of a series of investigative reports that lead to student progress. School-wide and teacher expectations suggest that high expectations are communicated through policies and practices, which focus on academic goals. As a result, expectations must be explicit and continuously communicated to teachers and students to ensure that everyone understands what behaviors and outcomes must be achieved. There are many ways in which this can be realized, but this requires the school leader to find creative ways to set, communicate, and monitor progress toward academic goals. Goals should be set in terms of floors, not ceilings and communicates to students that they have the ability to meet those standards.¹⁹ Finally, it is imperative that school leaders monitor progress closely so as to keep expectations of individuals current. This entails monitoring student progress as well as teachers' ability to provide quality instruction.

Summative and Formative Data-Driven Decision Making

SCALE believes that formative and summative data-driven decision making is a process of analysis in which objective information provides guidance for future improvement. This process is also a contributing factor to how learning best occurs. The endeavor to continuously improve instruction requires school systems to engage in a cycle whereby performance data are constantly gathered, shared, analyzed, and used to inform what is taught and how it is taught.²⁰ SCALE is committed to this endeavor. This cycle of instructional improvement is a process by which data is used to improve instruction. A model is provided below.

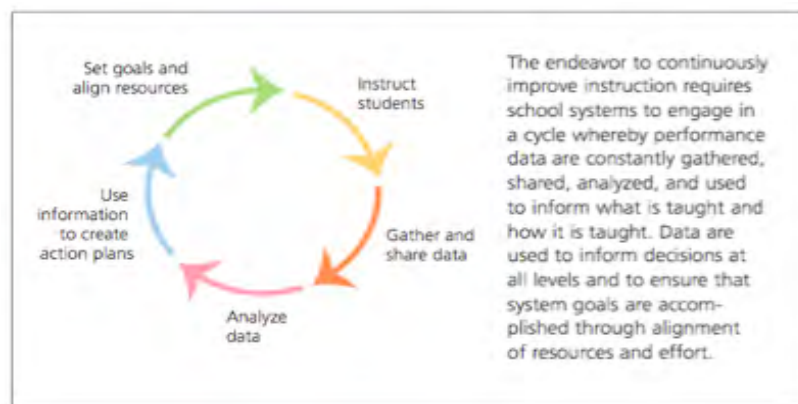
¹⁷ Cotton, K. (1989). *Expectations and student outcomes*. NW Archives: School Improvement Research Series (SIRS). http://educationnorthwest.org/webfm_send/562

¹⁸ Cotton, K. (1989). *Expectations and student outcomes*. NW Archives: School Improvement Research Series (SIRS). http://educationnorthwest.org/webfm_send/562

¹⁹ Cotton, K. (1989). *Expectations and student outcomes*. NW Archives: School Improvement Research Series (SIRS). http://educationnorthwest.org/webfm_send/562

²⁰ *Using Student Achievement data to Support Instructional Decision Making* from What Works Clearinghouse; IES National Center for Education Evaluation and Regional Assistance; U.S. Dept. of Educ. Sept. 2009; http://ies.ed.gov/ncee/wwc/pdf/practiceguides/dddm_pg_092909.pdf.

Figure 7. The Cycle of Instructional Improvement²¹



SCALE also believes that establishing meaningful and challenging goals for student performance is a precondition for effective data-driven decision-making. Without tangible student achievement goals, school systems are unable to orient their use of data toward a particular end or desired outcome.²² Teachers should provide students with explicit instruction on using achievement data regularly and provide tools for students to establish their own goals for learning. SCALE believes that this process can motivate students by mapping out accomplishments that are attainable, revealing actual achievement gains and providing students with a sense of control over their own outcomes.²³ Thus, providing students with timely task-specific feedback both from teacher recommendations and self-evaluation are key to student growth.²⁴

Administrative and Teacher Leadership²⁵

It is SCALE's intention that the school leader will build collaboration among all staff members and identify common values, beliefs, and goals to get everyone working on the same page. Establishing core values in all classrooms, posting school improvement plans, naming specific teachers who are experts in key learning areas so teachers are aware to seek assistance. These are just a few strategies that SCALE will implement to build a common value system among its staff.

²¹ *Using Student Achievement data to Support Instructional Decision Making* from What Works Clearinghouse; IES National Center for Education Evaluation and Regional Assistance; U.S. Dept. of Educ. Sept. 2009; http://ies.ed.gov/ncee/wwc/pdf/practiceguides/dddm_pg_092909.pdf.

²² *Using Student Achievement data to Support Instructional Decision Making* from What Works Clearinghouse; IES National Center for Education Evaluation and Regional Assistance; U.S. Dept. of Educ. Sept. 2009; http://ies.ed.gov/ncee/wwc/pdf/practiceguides/dddm_pg_092909.pdf.

²³ Datnow, A., Park, V. & Wohlstetter, P. (2007) *Achieving with Data* <http://newschools.org/about/publications/achieving-with-data>

²⁴ Mayer, R. E. (2008). *Learning and instruction*. Second Edition. Richard E., 2008. Prentice Hall.

²⁵ Hancock, M., & Lamendola, B. (2005, March). Learning From Urban Schools A Leadership Journey. 62(1). 74-78. Educational Leadership

In addition, SCALE believes that administrative leaders provide a culture and structure that allows teachers to play an active role in decision making by leading committees, attending training sessions.²⁶ Administrative leaders also gather information such as staff concerns to learn what changes and improvements to address first.²⁷ Such information is used to shape and improve professional development and build capacity as well as address target areas of agreement.

Finally, school leaders are keenly aware of developing cultural norms and respond consistently to attitudes, practices, and beliefs that do not have a positive impact on school improvement and student achievement. One example is holding teachers accountable for students' learning when a belief arises that students are responsible for their own achievement.²⁸

Quality Professional Development

SCALE believes that in any learning situation, learners undergo some type of change. The learner understands the nature of the change and understands that learning is a process that unfolds over time.²⁹ SCALE believes that what makes this change possible is on-going professional development that builds staff capacity for embracing and engaging in the change process.

SCALE believes that there are four aspects of engaging teachers-as-learners. This includes the need for teachers to engage in technical mastery, reflective practice, research, and collaboration. SCALE leaders have the training that is necessary to lead staff development and will ensure that these needs are met.

According to one study,³⁰ a series of studies identify key contributions to effective staff development. Generally, the desired outcome of staff development is information transfer, skill acquisition, and behavior change. SCALE understands that this should be the general purpose of all staff development. There are four solutions for addressing knowledge and skill problems in schools.³¹ Knowledge and skill solutions demand the use of information, training, job aids, and education.³² In all cases, SCALE staff will be engaged in one these development activities in support of the acquisitions of short and long-term goals.

²⁶ *Using Student Achievement data to Support Instructional Decision Making* from What Works Clearinghouse; IES National Center for Education Evaluation and Regional Assistance; U.S. Dept. of Educ. Sept. 2009; http://ies.ed.gov/ncee/wwc/pdf/practiceguides/dddmg_pg_092909.pdf.

²⁷ IES, 2009, pg. 76

²⁸ DuFour, R. & Burnette, B. (2002, Summer). *Pull out negativity by its roots: Those who grow healthy school cultures must root out weeds of bad culture*. *Journal of Staff Development*, 23(3). Retrieved April 24, 2006 <http://www.nsd.org/news/jsd/burnette233.cfm>

²⁹ Butler, J. (2002). Staff Development. *School Improvement Research Series, 12*. Retrieved April 24, 2006 from http://educationnorthwest.org/webfm_send/501

³⁰ Gall, M. D., and Rensler, R. S. *EFFECTIVE DEVELOPMENT FOR TEACHERS: A RESEARCH-BASED MODEL*. Eugene, OR: ERIC Clearinghouse on Educational Management, College of Education, University of Oregon, 1985.

³¹ Clark, R. E., & Estes, F. (2002), *Turning Research into Results: A guide to selecting the right performance solutions*. Atlanta, GA: CEP Press.

³² Clark & Estes, 2002, pg. 63

SCALE will use five types of staff development models for teachers.³³ These include individually guided staff development, observation/assessment, the improvement process, training, and inquiry. In recent years, researchers have advocated for more collaboration among teachers rather than teachers working in isolated environments. However, each of these approaches to development, when effectively amalgamated with one another, can allow for a gradual accumulation of rich and meaning development experience for those who are involved. SCALE will structure professional development to apply all five models that were recommended by these best practices.

A Typical Day

A typical day at SCALE Leadership Academy provides for deep exploration of subject matter content and ample opportunities for students to socialize and engage in enriching extra-curricular activities.

The schedule is set up to ensure equitable access for all students to a curriculum that meets their needs and challenges them academically. Students are expected to arrive at school between 7:15 and 7:40 a.m. so that they can have breakfast and prepare for the day.

Every day begins with all students attending an Advisory course from 7:45 to 8:25 am. All SCALE Leadership Academy students participate in advisory meetings where topics such as conflict resolution, college awareness, study skills, learning strategies, and service-learning projects are discussed. The advisory curriculum is taught four times a week on Mondays, Tuesdays, Thursdays, and Fridays. The student will have the same Advisory teacher throughout his or her entire enrollment at SLA, which provides more structured support, mentorship, and community building.

Following Advisory, the schedule includes three 120-minute blocks of the core curriculum on each full day. The core classes include Language Arts, Math, Social Studies, Science, Physical Education/Health, and Computer Literacy with Core Subjects Integration. These longer blocks allow for deeper exploration of subject matter and thematic integration to ensure mastery of content. The block schedule alternates daily with odd periods 1, 3, and 5 meeting on Mondays and Thursdays and even periods 2, 4, and 6 scheduled to meet on Tuesdays and Fridays. Each student only sees four teachers in the course of the day, and only makes three transitions. This supports a small learning community and minimizes opportunities for problems to arise.

The school day officially ends at 3:30 p.m.

What sets SCALE apart from other schools is its unique voluntary enrichment program. All students are encouraged to participate in an enrichment period, which includes afterschool homework help and tutoring, intervention workshops, enrichment, extra-curricular activities, and athletics from 3:30 p.m. and 4:30 p.m.

The voluntary enrichment schedule is offered at no additional cost to students and occurs on all school days except Tuesdays, when the instructional day ends at 1:30 p.m. and teachers stay on campus until 3:30 p.m. for professional development.

³³ Sparks, D., and Loucks-Horsley, S. "Models of Staff Development." In HANDBOOK OF RESEARCH ON TEACHER EDUCATION, edited by W. R. Houston. New York: MacMillan Publishing Company, 1990, 234-250.²²

SCALE Leadership Academy's emphasis on deep exploration of the core subjects as well emphasis on personal development allows for greater opportunities for students to successfully respond to various academic and life challenges.

Student lunches are served hot every day. Sixth grade students have a separate lunch time in order to foster a safe and pro-social environment during this year of transition from elementary to middle school.

Enrichment

Voluntary enrichment takes place every day as the last period of the day except professional development days from 3: 30 pm to 4:30 p.m.

While not mandatory, SCALE encourages students to participate in at least one enrichment activity per week. ***The Enrichment Period provides opportunities for all students to get remedial help when needed and get involved in extra-curricular activities, build strong relationships, explore their interests, and build character.***

The Enrichment program involves collaboration among parents, youth, representatives from schools and governmental agencies, such as local law enforcement and local parks and recreation departments, and individuals from SCALE Leadership Academy and community-based organizations as well as the private sector. As such, the leadership of SCALE Leadership Academy along with the teachers, parents, students, and community will define the Enrichment curriculum that will reflect the needs of students and families in the community.

1. An **educational and literacy element** provides tutoring and/or homework assistance designed to help students meet state standards in one or more of the following core academic subjects: reading/language arts, mathematics, history and social studies, or science. A broad range of activities may be implemented based on local student needs and interests.
2. The **educational enrichment element** offers an array of additional services, programs, and activities that reinforce and complement the school's academic program. Educational enrichment may include such activities might involve the visual and performing arts, music, physical activity, health/nutrition promotion, and general recreation; career awareness and work preparation activities; community service-learning; and other youth development activities based on student needs and interests. Enrichment activities may also be designed to enhance the core curriculum.

INSTRUCTIONAL METHODS AND STRATEGIES

Standards Based Curriculum³⁴

SCALE is committed to achieving the No Child Left Behind (“NCLB”) curriculum goal of ensuring that 100% of students perform at a level of proficient or above. In order to achieve this, our school emphasizes the implementation of standards based curriculum that objectively measures student progress along with these standards. The core academic content will be as follows:

English Language Arts

The English Language Arts courses will prepare students for thoughtful study by conveying the importance of becoming active thinkers during reading and writing exercises. In the area of curriculum development and language arts instruction for grades 6-8, SCALE Leadership Academy will:

- Develop a language-arts curriculum that incorporates the grade-level curriculum content specified in the *English-Language Arts Content Standards for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 2001). See detailed summary below.
- Integrate reading, writing, speaking, and listening to form a greater understanding of history-social science, mathematics, and science.
- Develop important “habits of mind” in the form of evidence, connections and patterns, supposition, and meaning that will produce active and thoughtful writers, poets, researchers, and speakers.
- Teach students to read with ease, fluency, and enjoyment.
- Expose students to multi-cultural fiction, non-fiction, poetry, essays, and scripts.
- Teach students to write with clarity, expression, and purpose.
- Coach students to deliver and critique oral presentations effectively.
- Engage students to reflect upon ways literature and writing impact their lives through authentic writing and multi-cultural literature selections.
- Integrate appropriate technology and technological analysis into the study of English-Language Arts.

Mathematics

Students will acquire a combination of mathematical hands-on skills and conceptual understanding. In the area of curriculum development and mathematic instruction for grades 6-8, SCALE Leadership Academy will:

- Implement and refine a mathematics curriculum that incorporates the grade-level curriculum content specified in the *Mathematics Content Standards for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 2001). See detailed summary below.
- Integrate the core concepts of numbers, algebra, geometry, and statistics into a greater

³⁴ Information from this section was retrieved from California Content Standards. <http://www.cde.ca.gov/be/st/ss/>24

understanding of science, history-social science, and language arts.

- Develop important “habits of mind” in the form of evidence, connections and patterns, supposition, and meaning that will produce active and thoughtful mathematicians and statisticians.
- Teach students to understand and intuitively use mathematical reasoning: analyzing a problem; estimating a solution; expressing a clear solution and process; and checking validity of results.
- Engage students to reflect upon ways mathematical concepts and theories impact their lives through real life examples and problems.
- Integrate appropriate technology and technological concepts into the study of mathematics.

By the end of grade six, students will have mastered the four arithmetic operations with whole numbers, positive fractions, positive decimals, and positive and negative integers; they accurately compute and solve problems. They will apply their knowledge to statistics and probability. Students will understand the concepts of mean, median, and mode of data sets and how to calculate the range. They will analyze data and sampling processes for possible bias and misleading conclusions; they will use addition and multiplication of fractions routinely to calculate the probabilities for compound events. Students will conceptually understand and work with ratios and proportions; they will compute percentages (e.g., tax, tips, interest). Students will know about π and the formulas for the circumference and area of a circle. They use letters for numbers in formulas involving geometric shapes and in ratios to represent an unknown part of an expression. They solve one-step linear equations.

History and Social Science

Students will learn about important events and documents shaping history as well as explore fundamental concepts of geography, economics, political science and sociology. In the area of curriculum development and history-social sciences instruction for grades 6-8, SCALE Leadership Academy will:

- Implement and refine a history and social sciences curriculum that incorporates the grade-level curriculum content specified in the *History-Social Sciences Content Standards for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 2001). See detailed summary below.
- Integrate the core concepts of history and the social sciences into a greater understanding of science, mathematics, and language arts.
- Develop important “habits of mind” in the form of evidence, connections and patterns, supposition, and meaning that will produce active and thoughtful historians and social scientists. Present history through primary sources such as art, letters, music, maps, and personal accounts.

Students will study World History and Geography in Ancient Civilizations. Students in grade six expand their understanding of history by studying the people and events that ushered in the dawn of the major Western and non-Western ancient civilizations. Geography is of special significance in the development of the human story. Continued emphasis is placed on the everyday lives, problems, and accomplishments of people, their role in developing social, economic, and political structures, as well as in establishing and spreading ideas that helped transform the world forever. Students develop higher levels of critical thinking by considering why civilizations

developed where and when they did, why they became dominant, and why they declined. Students analyze the interactions among the various cultures, emphasizing their enduring contributions and the link, despite time, between the contemporary and ancient worlds.

Science

Students will begin to understand how scientific processes operate and how those processes relate to one another. In the area of curriculum development and science instruction for grades 6-8, SCALE Leadership Academy will:

- Implement and refine a science curriculum that incorporates the grade-level curriculum content specified in the *Science Content Standards for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 2001). See detailed summary below.
- Integrate the core concepts of earth science, life science, and physical science into a greater understanding of history-social science, mathematics, and language arts.
- Develop important “habits of mind” in the form of evidence, connections and patterns, supposition, and meaning that will produce active and thoughtful scientists.
- Teach students to understand and intuitively use the scientific method: identify a problem; pose relevant questions; state a hypothesis; conduct an experiment; understand the variables; analyze the data; and reach a conclusion or solution that serves as the hypothesis for the next round of inquiry.
- Provide opportunities for lab experiments, field trips, and service learning where students gather, manipulate and record data from their community to better understand the natural world around them.
- Engage students to reflect upon ways scientific concepts and theories impact their lives through their environmental and personal health.
- Integrate appropriate technology and technological concepts into the study of science.

Physical Education and Health

In the area of curriculum development and physical education and health for grades 6-8, SCALE Leadership Academy will:

- Implement and refine a physical education program using the guidelines specified in *Challenge Standards for Student Success: Physical Education* (California Department of Education, 1998).
- Implement and refine a health curriculum that incorporates the grade-level curriculum content specified in the *Challenge Standards for Student Success: Health Education* (California Department of Education, 1998).
- Approach physical fitness with the goals of personal challenge, teamwork, sportsmanship, and fun.
- Promote excellent physical, social, and emotional health among students through stress management, sex education, nutrition, gang prevention, and conflict resolution.
- Engage students to reflect upon ways physical education and health impact their lives through personal wellbeing.

Block Scheduling

As exemplified in the Bell Schedule, SLA will adopt the block-scheduling format to support the school mission. The block schedule format was selected to allow students to engage in a more in-depth study of core subjects. SCALE believes that depth allows students to acquire a more complex understanding of concepts. It further provides opportunities for students to access prior knowledge and build greater connections. To ensure that students are challenged with the essential math, reading, comprehension, and writings skills that are necessary to master the 6th grade content, it is SLA's intent to find creative ways to incorporate fundamental skills such as math, writing, reading, and comprehension in all subjects. As it is our mission to build life-long learners, we believe it is essential to guide students through the process of finding the interrelations between all domains and furthermore develop an appreciation for the practical applications of various types of knowledge.

Understanding Knowledge Types and Categories

SCALE will consistently analyze the types of knowledge being taught and which approaches best suit knowledge transfer. SCALE supports the idea that there are six types of knowledge: facts, concepts, procedures, strategies, beliefs, and meta-cognitive knowledge.³⁵ Quality instruction begins with the teachers' understanding of what types of knowledge must be taught to achieve learning outcomes and master academic content standards.

The following table illustrates how a specific state standard implicates different types of knowledge areas and which research-based approaches best apply to these knowledge types:

Figure 8.

Standard:	Types of Knowledge	Research-Based Approach for Teaching Knowledge Types
2.1 Solve problems involving addition, subtraction, multiplication, and division of positive fractions and explain why a particular operation was used for a given situation. ³⁶	<ul style="list-style-type: none"> • Procedural Knowledge • Conceptual Knowledge • Factual Knowledge • Strategic Knowledge • Meta-cognitive Knowledge 	<ul style="list-style-type: none"> • Provide a process model or list of steps • Provide a declarative definition; Categorizing and Graphic Organizers • Have students recall math facts and participate in drills • Give examples of multiple approaches to multiplying fractions; • Have students evaluate their learning, steps, and progress

³⁵ Anderson, L. W., & Krathwohl, D. R. (2001) *A taxonomy for learning, teaching, and assessing: A revision of bloom's taxonomy of educational objectives*. New York: Addison Wesley Longman.

³⁶ <http://www.cde.ca.gov/be/st/ss/>

Understanding the Teaching and Learning Process

There are six factors that influence the teaching and learning process and will continuously guide instructional decisions leading to effective teaching:

1. Instructional manipulative
2. Learner characteristics (multiple intelligences, etc.)
3. Learning Context (class culture, setting, environment)
4. Learning Process (encoding, selecting, organizing, integrating)
5. Learning Outcomes (tasks, products, expectations)
6. Outcome Performance (level of master, advance, prof., etc. , evaluation results)

Research-Based Strategies

SCALE believes that there are research-based instructional strategies that best contribute to learning. This indicates that there is a correct way to teach.³⁷ In research-based practice, educational decisions are based on both an understanding of how students learn and relevant research evidence on how to foster learning.

Quality Instructional Design

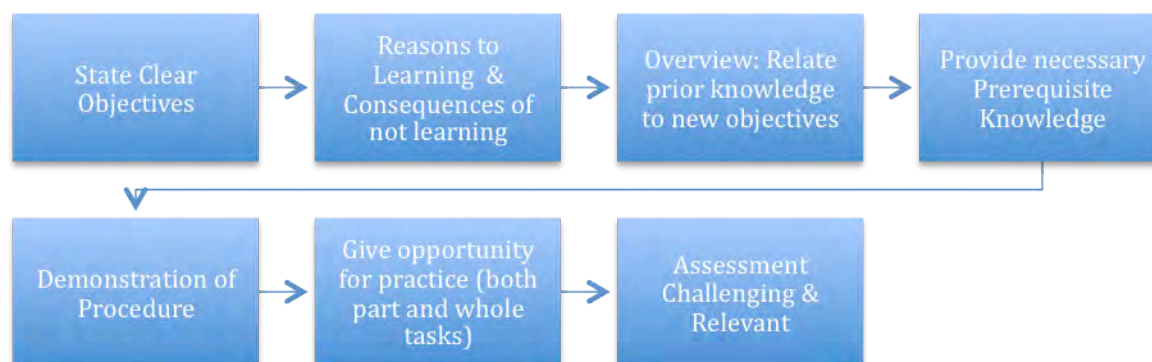
The following steps set forth a specific instructional design framework to support teachers with the delivery of quality instructional. SCALE Leadership Academy administrators and staff will work collectively to build capacity around these concepts and strategies.

1. Determine the California Standards to be taught.
2. Choose/identify a valid and reliable assessment.
3. Determine the cognitive tasks required for maximum performance.
 - a. Create a cognitive task analysis.
4. Determine the types of knowledge that must be taught (for each cognitive task).
 - a. Conceptual
 - b. Procedural
 - c. Strategic
 - d. Algorithmic
 - e. Factual
5. Establish concrete goals.
6. Establish deadlines/timelines (refer to the pacing guides).
7. Locate or design rubrics.
8. Find a sound model/for each cognitive task.
9. Use the Guided Experiential Learning (GEL) design for the introductory phase and subsequent lessons)(See Figure 9).
10. Provide training and practice (one cognitive task at a time).

³⁷ Elmore, R. F. (2002). *Bridging the gap between standards and achievement*, Washington, DC: Albert Shanker Institute. Retrieved July 12, 2003, from <http://www.nsdc.org/library/results/res11-02elmore.html>

11. Assess each cognitive task before proceeding to the next lesson (formative assessments).
12. Check for transfer.
13. Provide checklists/for procedures and algorithms.
14. Provide formative feedback/support/remediation/peer evaluation/self-evaluation/individual learning plans.
15. Allow for more practice if necessary.
16. Give assessment (summative) /consider including a cumulative assessment that incorporates all cognitive levels.

Figure 9. GEL Process³⁸



Student Incentives and Rewards (Motivation)³⁹

SCALE believes that students work harder to understand and learn more deeply when they value what they are learning and expect their effort to pay off. SCALE emphasizes the importance of priming motivation and implement motivation strategies that will foster greater motivation in learning. Motivation involves self-efficacy, attributions, interest, and goal orientation. SCALE teachers will be trained to identify gaps in motivation and will successfully implement solutions to close gaps in motivation.

Multi-cultural Learning Strategies

SCALE Leadership Academy is committed to providing equity to all students. As a result, we understand the importance of addressing the needs of students of diverse backgrounds and with various academic needs. To achieve this, our school is committed to using a multi-cultural learning approach. SCALE believes that students perform better and gaps in achievement are closed when multi-cultural learning concerns are adequately addressed. With this commitment in mind, SCALE will integrate a multi-cultural approach to learning by addressing and emphasizing social equity, multi-cultural competence, equity pedagogy, and curriculum reform. SCALE believes that this standard will allow our teachers to instruct students more effectively

³⁸ Clark, R.E., & Feldon, D. F. (2008). GEL, Adaptable Expertise and Transfer of Training

³⁹ Clark, R. E., & Estes, F. (2002), *Turning Research into Results: A guide to selecting the right performance solutions*. Atlanta, GA: CEP Press.

and identify key talents and learning styles in under-represented and overlooked students.⁴⁰ To achieve this, teachers will find ways to engage students and tap into students' identities, prior knowledge, culture, background, and frames of reference. When applying these areas of focus, teachers will use culturally rich material, ask essential culturally-relevant questions, provide a range of similar assignment projects, ensure that all students understand the necessary steps for achieving top quality work, discuss the importance of education, understand and interpret multiple cultural and perspectives, and complete projects and assignments related to their own cultural history, background, and ethnic settings.

Figure 10. Four Areas of Focus For Multi-Cultural Education⁴¹

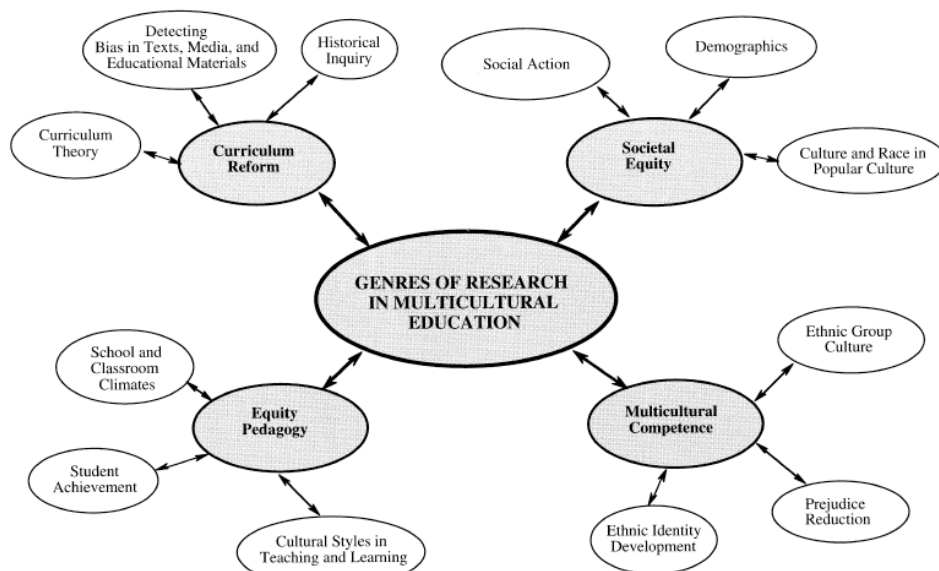


FIGURE 1. A Conceptual Framework of Research Genres

Backward Planning

Backward design is a process that focuses on assessment first and instructional activities last, shifting teacher perspectives. Traditional curriculum design often begins with books or activities of subjects teachers want to teach or are required to cover. A curriculum is then designed and an assessment is selected at the end. Backward design forces teachers to look at the big picture with the end goals in mind. In backward planning, teachers set the vision or the essential understanding of their curriculum or unit, decide how students will provide evidence of their learning, and finally design instructional activities to help students learn what is needed to be successful.

⁴⁰ Bennett, C. (2001). Genres of research in multicultural education. *Review of Educational Research*, 71(2), 171-217.

⁴¹ Bennett, C. (2001). Genres of research in multicultural education. *Review of Educational Research*, 71(2), 171-217.

Project Based Learning

In Project Based Learning (PBL), students go through an extended process of inquiry in response to a complex question, problem, or challenge. While allowing for some degree of student "voice and choice," rigorous projects are carefully planned, managed, and assessed to help students learn key academic content, practice 21st Century Skills (such as collaboration, communication, and critical thinking), and create high-quality, authentic products and presentations. SCALE staff will work collaborative to ensure that students are building deep content understanding, raising academic achievement and are motivated to learn.⁴² Research studies have demonstrated that PBL can:

- Be more effective than traditional instruction in increasing academic achievement on annual state-administered assessment tests.
- Be more effective than traditional instruction for long-term retention, skill development and satisfaction of students and teachers.
- Be more effective than traditional instruction for preparing students to integrate and explain concepts.
- Improve students' mastery of 21st-century skills.
- Be especially effective with lower-achieving students.
- Provide an effective model for whole school reform.

Standards Based Grading

Standards based grading is a grading system that aligns grading with key standards. SCALE will adopt the standards based grading model to monitor student progress and ensure that all student are meeting the standards.

Summary guidelines for standard-based grading



- Grades must relate to academic standards and course expectations
- Public criteria and student work examples are reference points for grading
- Grades should be based only on individual academic achievement
- Sample student performance – do not include all scores in grades
- Keep records that can be updated easily
- Crunch numbers carefully – if at all
- Use quality assessments and properly recorded achievement evidence

⁴² Han, S., and Bhattacharya, K. (2001). Constructionism, Learning by Design, and Project Based Learning. In M. Orey (Ed.), Emerging perspectives on learning, teaching, and technology. <http://projects.coe.uga.edu/epltt/>

Figure 11. SLA Standards Based Grading Scale

Letter Grade	Percentage	Rubric Score	Meaning
A+	98-100%	4	A student earning an A in a course is consistently demonstrating advanced levels of mastery with the content standards.
A	93-97%		
A-	90-92%		
B+	88-89%	3	A student earning a B in a course is consistently demonstrating proficiency with the content standards.
B	83-87%		
B-	80-82%		
C+	78-79%	2	A student earning a C in a course is consistently demonstrating basic competency with the content standards.
C	73-77%		
C-	70-72%		
NYP	Below 70%	0 or 1	A student earning less than 70% in a course is not yet demonstrating a basic level of mastery with the content standards and needs to demonstrate mastery of the standards before credit will be earned.

Multiple Assessments

SCALE will utilize formative and summative assessments in order to effectively evaluate student learning. The school leader will a significant amount of time developing teachers' understanding of assessment and ensure that such assessment are properly aligned and provide greater insight into what students need to know. SCALE also plans to use formative and summative assessment to engage staff in inquiry and collaboration.

Task-Specific Feedback

SCALE teachers will be committed to providing task specific feedback to all students. As a result, students will understand what they need to achieve their goals and which tasks, skills, or learning must be modified, improved or enhanced to achieve maximum quality and effort. SCALE teachers will work collaboratively to integrate peer evaluations, self-evaluations, and feedback evaluations in each lesson to ensure that students understand the expected end results as well as the key steps that are necessary to achieve them.

Developing the “Habits of Mind”

Accessing the “habits of mind”⁴³ is possible across all subject domains and is directly linked to student outcomes and the school mission. The habits of mind include understanding different viewpoints or strategies, seeing connections and relationships, considering alternatives, and assessing implications and effects. SCALE believes that these intellectual habits permeate the entire curriculum and will be the basis by which SCALE teachers evaluate student work. The School Director and teachers will work collaboratively to ensure that the habits of mind are incorporated in the assessment criteria for key projects, graduation portfolios, writing compositions, and especially the core curriculum. SCALE will utilize GATE icons to implement

⁴³ Darling-Hammond, L. (2002). *The right to learn* (pp. 148-176). San Francisco: Jossey-Bass.

the habits of mind across domains. SCALE is committed to providing every student with advanced learning experiences, such as those identified with the habits of mind.

Advisory Curriculum

Advisory is a structure in which a teacher and a small group of students meet regularly for academic guidance to coordinate ways for students to be successful and connect to a peer group. SCALE Leadership Academy believes that the advisory curriculum will help students build a strong support system, social networks, and social capital. It will also increase access to teachers who will have a greater opportunity to serve as institutional agents to key resources. The Advisory curriculum will be designed to prepare students to take on ever increasing leadership roles and will support the school mission by helping the student build the essential skills necessary for success.

Skills to be obtained and developed during the Advisory period:

- Community Building
- Life Skills
- Goal Setting
- College Awareness
- College Preparation
- Service Learning
- Enrichment
- Self Discovery

Individual Learning Plans

To support the school mission and achieve its annual academic goals, SCALE will establish an individual learning plan (ILP) for each student. An ILP is a student specific program that takes into consideration the student's strengths and weaknesses. It is a tool that will allow SCALE Leadership Academy administrators, teachers, and parents to plan, monitor, manage, and evaluate student achievement by identifying student needs and applying research-based interventions based on student performance data.

The ILP initiative will be viewed as a powerful tool by the SCALE faculty for individualizing instruction, promoting a team approach, and facilitating opportunities for collaboration (i.e., teacher, resource staff, and parents all working together to help the student) and subsequently raising the academic achievement of at-risk students. The School Director and staff will evaluate ILP Plans during professional development to target students with specific needs and establish instructional and student performance goals on a monthly and quarterly basis.

There is research to support both differentiating instruction and individualizing instruction⁴⁴ as methods of raising achievement. An ILP can be a valuable tool for educators to use in differentiating and individualizing instruction to help schools attain the ultimate goal of raising student achievement. SCALE believes ILP's to be key to providing equity to all students. A sample copy of an ILP is attached hereto as **Attachment 1**.

Technology Curriculum

To support its mission of preparing students for success in high school, college, and beyond, SCALE will implement a supplemental technology curriculum that is designed to integrate core academic content standards and essential technology standards in the Computer Literacy elective that will be offered to all students in grade 6.

To achieve this aim, teachers and administrators will engage in cross-curricular planning sessions where staff will establish ideas, plans, goals, and expectations for implementation. During cross-curricular planning sessions, the computer literacy teacher will work collaboratively with other teachers to integrate standards and objectives in daily technology lessons, units, and projects. During cross-curricular planning, sessions two essential questions will be addressed: 1) How can the computer literacy elective integrate core academic standards? and, 2) How can core academic subjects integrate technology standards?

SCALE is committed to developing a supplemental technology curriculum that incorporates instructional strategies that will boost achievement and engage students in effective, fun, and meaningful learning experiences. The commitment to integrate core content in the Computer Literacy elective will provide students with a more in depth study of key standards and will allow students to more effectively transfer knowledge to more advanced levels of mastery.

School-wide Technology Plan

In addition to the Computer Literacy elective with core subject integration, the SCALE staff will also establish a school-wide technology plan that will support staff with achieving yearly academic and professional goals.

SLA will utilize the technological tools and resources represented in Figure 12 below.

Figure 12. Technological Resources

Inspiration Data	Inspiration Data is a program that allows students to create charts and analyze data. Data can also be collected and published through an online interface where students can complete surveys and/or assessments.
Inspiration 8	This program allows teachers to easily design lesson websites, graphic organizers, diagrams, and presentations to support

⁴⁴ Tomlinson, C., & McTighe, J. (2006). *Integrating differentiated instruction and understanding by design*. Alexandria, VA: ASCD.

	learning.
Power School (ILP plans)	This program allows administrators, teachers, and counselors to keep track of student progress and maintain a performance portfolio.
Data Director (Assessment Software)	This creates student performance reports to support teachers and administrators with monitoring student progress.
Discovery Video Streaming	Provides lesson plans and video presentations that are linked to California content standards.
Revolution CAHSEE Prep	This is a math program that tracks student performance and provides feedback for students as they reach higher and higher performance levels.
Student Email	Allows students and communicate with parents, teachers, and group members and gives them the technology experience necessary for the 21 st century.
Desk Top and Lap Top Computers	Scale will have a lap top cart that includes 25 Mac Book computers that will be used for the Computer Literacy elective. Two to three desktop computers will also be located in each classroom for student access during Advisory and Core Subject classes.
School Website	Allows parents, students, teachers, and administrators to access school information and school email. Teacher information and learning resources will be available online.
Computer Literacy Blog	Maintains information about student projects and new developments related to computer literacy
Document Readers	Provides a visual experience to support student learning. Lesson can be saved as a video file and accessed when needed.
Student Drop Box	This is a network folder that allows students to upload their assignments. Students will also have individual folders where they can maintain a portfolio of their work.
Teacher Drop Box: Lesson Plan Tracking System	Teachers drop their lesson plans in their drop box. Plans will be saved in a specific name format to allow for simple tracking. Administrators have access to folders.

The primary roles and responsibilities of key staff members for year one as it relates to the implementation of the technology plan are provided below.

Figure 13. Staff Roles and Responsibilities (Technology)

Administrators	Administrators establish the school vision, improve technology proficiency, set technology goals and align these goals with student performance objectives. Administrators also provide training and professional
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	development related to technology that support teacher practice change.
Core Teachers	Implements technology into core subjects, determine uses for technology when evaluating student performance.
Technology Specialists/Teacher with technology experience	Provides resources, training, and support for teachers and administrators
Computer Literacy Teacher	Provides authentic technology based learning experiences that also support core subjects and is in line with the school mission.

INSTRUCTIONAL MATERIALS

Instructional materials at SCALE Leadership Academy will be selected by teachers and the School Director and coordinated within the teacher teams. Textbooks are integrated as appropriate in relation to an analysis of standards via the instructional design process. Specifically, teachers cluster standards design units and then integrate textbook resources as appropriate to address standards in each unit. Student texts and instructional materials are identified based on the following criteria:

- Alignment with state standards
- Research-base and evaluation data showing success with similar student populations
- Accessibility for students
- Alignment with school's mission
- Ease of use for teachers
- Availability of supporting materials and resources

The school continuously evaluates, updates, and revises textbook adoptions based on student needs and research about the most effective resources. The following is a current list of recommended textbooks:

Figure 14. Recommended Textbooks

Level	Subject	Title	Publisher	Use
6	Language Arts	Elements of Literature	Prentice Hall	In-class
6	Math	California Mathematics	Scott Foreman	In-class
6	Science	Focus on Earth Science	Glencoe McGraw Hill	In-class
6	Social Studies			In-class

		A Message of Ancient Days	Houghton Mifflin	
6	Health	Teen Health	Glencoe McGraw Hill	In-class
7	Math	Mathematics Concepts and Skills Course	McDougal Littell	In-class
7	Science	Focus on Life Science	Glencoe McGraw Hill	In-class
7	Social Studies	Across The Centuries	Houghton Mifflin	In-class
7	Language Arts	Elements of Literature	Holt Rinehart Winston	In-class
8	Math	Algebra 1 Concepts and Skills	McDougal Littell	In-class
8	Science	Focus on Physical Science	Glencoe McGraw Hill	In-class
8	Social Studies	A More Perfect Union	Houghton Mifflin	In-class
8	Language Arts	Elements of Literature	Holt Rinehart Winston	In-class

Figure 15. Academic Software Programs

Level	Subject	Title	Publisher	Use
6, 7, 8	All Subjects	Discovery Education.com	Discovery Education	In-class
6, 7, 8	All Subjects	Exam View Pro Test Generator	Glencoe McGraw Hill	In-class Home
6, 7, 8	Mathematics	Revolution Prep	Revolution K12	In-class After School Home
6, 7, 8	Mathematics	Study Island	Study Island	In-class After School Home

Instructional Guides

SCALE will provide instructional guides that will support teachers with classroom management, identifying priority standards, and pacing. Please refer to **Attachment 2** to see an example of our pacing guides.

ASSESSMENT OF STUDENT PROGRESS

At SCALE Leadership Academy, teachers will be expected to use tracking tools to understand student performance. Teachers will track their students' progress by measuring student achievement towards mastery of California State Standards. Information gathered from data and in-class evaluations will be used by teachers, department chairs, and the School Director to evaluate progress towards goals.

Throughout the year, all departments will be encouraged to share student data, but at least twice a year, the entire staff will look at student performance on a school-wide level. Teachers will evaluate data to see if teachers are making limited, solid, or significant progress with students. Limited progress means the class is averaging less than 70 percent mastery of all tested standards. Solid progress happens when students are mastering an average of 70 percent to 80 percent of all tested standards. Significant gains or progress is made when students are mastering 80% or higher of all tested standards on average. The tracking tools are set up to measure the three levels that allows students, teachers, and other staff to see immediately which students are performing at each level and how the class is doing as a whole towards the goals of significant gains.

Students will also be required to take midterm and final exams for each class that they enroll in at SCALE Leadership Academy. The exams will be written before the start of the year, and will encompass all of the standards that need to be mastered to successfully pass the course. The student scores on the exams will be used as evaluation data to help the school refine curriculum and instruction each year. Each department will be responsible for setting goals around student performance and the standardized exams will allow the school to ensure that the same material is being taught consistently in all classrooms.

Progress toward mastery of the standards and exam scores will be shared with students and parents during parent/teacher conferences. Additionally, students will receive mid-advisory progress reports. The students' grades will be tied to mastery of standards and both the mid-course and end of course exams will be weighted to factor into the final course grade.

At SCALE Leadership Academy, consistent and regular assessment is a key component in providing students with an excellent college preparatory education. To effectively assess student work, various forms of assessment must be integrated into the instructional program. Student assessment is fundamental to high-level instruction. Assessment allows teachers to gauge student academic levels, and then to use this information to drive classroom instruction. Every instructional unit must be composed of strong daily lessons that utilize multiple assessment tools and have a clear final assessment to measure the student's overall mastery of that academic unit.

Tools to check for student understanding of academic content and skills include informal verbal check-ins throughout lessons, class work and homework. These assessment tools allow a teacher to gauge the level of understanding for individual lesson objectives. Quizzes, tests, essays,

projects and other performance-based assessments provide more formal gauges of a student's mastery of a particular unit of study and the corresponding state academic standards. SCALE Leadership Academy students will participate in the STAR and CAHSEE standardized testing programs. Students take the California Standards Tests to officially assess student mastery of state academic standards. Students designated as English Language Learners will take the CELDT to assess literacy and communication levels in the English language. In September of each school year, students will take the Stanford 10 test to create a baseline measure in English-Language Arts and math.

Student assessment begins at summer school. During the summer session, the school will assess the current skill level of the students in all subject areas. To collect additional baseline measures, each teacher will choose or design a comprehensive diagnostic subject area assessment for their subject before the summer session. This will allow the school to determine the relative strengths of the students as a whole and individually. It will also frame the plan for each subject so that each individual teacher can design instructional units to best meet the needs of the students and bring them up to the school and state standards.

Figure 16. Major Assessments and Benchmarks

<u>Semester 1</u>	
1.	Entrance Pre-Assessment (Math, English, Writing)
2.	CELDT Testing
3.	Mid-Term Examination (Cumulative)
4.	Quarter 1 Benchmark Assessment
a.	All Subjects And Expository Writing
5.	Quarter 2 Benchmark Assessment
a.	All Subjects And Expository Writing
6.	Semester 1 Final Exams (Cumulative)
<u>Semester 2</u>	
1.	Mid-Term Examination (Practice Exam)
2.	Quarter 3 Benchmark Assessment
a.	Expository Writing
3.	Quarter 4 Benchmark Assessment
a.	Expository Writing
4.	Star Testing
a.	Grade 6_Math And English
5.	Final Semester Exams
a)	All Subjects And Expository Writing
6.	Capstone Projects

EXTRA-CURRICULAR ACTIVITIES

SCALE Leadership Academy supports a variety of extra-curricular activities granting students opportunities to explore their capabilities, pursue personal interests, and develop social and leadership skills and a sense of service to others. Students at SCALE will be encouraged to participate in at least one extra-curricular activity per semester. Extra-curricular activities and courses are without cost to students and are an important aspect of the voluntary enrichment component that takes place from 3:30 to 4:30 pm following all school days, except minimum days.

Extra-Curricular Activities

- Yearbook/Historian
- Drama
- Debate Team
- Robotics
- Academic Decathlon
- Foreign Language
- Dance
- Art
- Music
- Community Service Projects

Team Sports

Anyone can join an athletic team. Most teams will practice every day during their season. To succeed on the team, the prospective athlete must be dedicated and willing to improve both athletically and academically. Students will not be allowed to drop a team sport, with the exception of academic probation, once the season begins. The following is a list of team sports that may be offered to students:

- Flag Football
- Boys Soccer
- Boys Basketball
- Boys Track/ Cross-Country
- Girls Basketball
- Girls Track/Cross-Country
- Girls Volleyball
- Girls Soccer

Scale Leadership Academy School Calendar 2013- 2014

July '13						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August '13						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September '13						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

August

8/21-8/23- Staff Orientation
 8/26 – First Day of School (6th grade)

September

9/2- Labor Day No School
 9/24 Teacher In-service Day

October

10/1 – Begin CELDT Testing
 10/14- Columbus Day No School
 10/29 -10/31 – 1st Quarter Benchmark

November

11/1- Pupil Free Day/Teachers Only
 11/11- Veterans Day No School
 11/28-11/29- No School Thanksgiving No School

December

12/23 – 1/3- Winter Break

January

1/4- Back to School from Winter Break
 1/20 – MLK Day- No School
 1/21-24 – Q2 Benchmark/Final Exams
 1/31- Pupil Free Day/Teachers Only

February

2/3 - Semester 2 Begins
 2/17 - Presidents Day No School

March

3/24-3/28 – Spring Break

April

4/14- 4/17- 3rd Quarter Benchmarks
 4/21 – College Awareness Week
 4/21- Capstone Projects Begin
 4/28-5/2- Physical Fitness Exams

May

5/19 - Capstone Projects Due
 5/26 - Memorial Day No School
 5/23 – End of CST Testing

June

6/16 – Capstone Project Presentations
 6 /23-6/25- Final Exams and Grade Due
 6/25 - Last Day of School

October '13						
Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November '13						
Su	M	Tu	W	Th	F	Sa
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December '13						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
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22	23	24	25	26	27	28
29	30	31				

January '14						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
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26	27	28	29	30	31	

February '14						
Su	M	Tu	W	Th	F	Sa
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16	17	18	19	20	21	22
23	24	25	26	27	28	

March '14						
Su	M	Tu	W	Th	F	Sa
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23	24	25	26	27	28	29
30	31					

April '14						
Su	M	Tu	W	Th	F	Sa
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27	28	29	30			

May '14						
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June '14						
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

190 Instructional Days

4 Pupil Free Days – No School for students (Blue)

23 Holidays/Or Breaks - No School (Yellow)

Half Days- Every Wednesday

Scale also reserves the right to change its calendar should it be determined that it is beneficial for families to begin the school on an earlier date. Should this be the case, Scale will revise the budget accordingly.

Figure 18. Weekly Bell Schedule

Weekly Schedule		
MONDAY'S AND THURSDAY'S (ODD # PERIODS + ENRICHMENT)	INSTRUCTIONAL PERIODS 120 minutes per class 40 minute advisory	Minutes Daily (460)
ADVISORY:	7:45 AM - 8:25AM	40 + 5
PERIOD 1:	8:30 AM - 10:30AM	120
NUTRITION:	10:30 AM - 10:50AM	20+5
PERIOD 3:	10:55 AM- 12:55 PM	120
LUNCH:	12:55 PM - 1:25 PM	30+5
PERIOD 5:	1:30 PM-3:30 PM	120
ENRICHMENT A:	3:30 PM- 4:30 PM	60

WEDNESDAYS SHORTENED DAY PROFESSIONAL DEVELOPMENT	INSTRUCTIONAL PERIODS 50 minutes per class No Advisory	Minutes Daily (300)
PERIOD 1	7:45 AM - 8:35AM	50 + 3
PERIOD 2	8:38 AM - 10:28AM	50 + 3
PERIOD 3	9:31 AM - 10:21 AM	50 + 3
PERIOD 4	10:24 AM- 11:14 PM	50
LUNCH	11:14 PM – 11:45 PM	30 + 3
PERIOD 5	11:47AM-12:37 PM	50 + 3
PERIOD 6	12:40 PM – 1:30 PM	50
PROF. DEVELOPMENT	1:45PM -3:30 PM	105

TUESDAYS AND FRIDAY'S (EVEN # PERIODS + ENRICHMENT)	INSTRUCTIONAL PERIODS 120 minutes per class 40 minute advisory	Minutes Daily (460)
ADVISORY:	7:45 AM - 8:25AM	40 + 5
PERIOD 2:	8:30 AM - 10:30AM	120
NUTRITION:	10:30 AM - 10:50AM	20+5
PERIOD 4:	10:55 AM- 12:55 PM	120
LUNCH:	12:55 PM - 1:25 PM	30+5
PERIOD 6:	1:30 PM-3:30 PM	120
ENRICHMENT A:	3:30 PM- 4:30 PM	60

Figure 19. Master Schedule

Proposed Teachers/Period/Subjects/Student Population												
<u>Eng./Hist.</u>			<u>English.</u>		<u>Math/Sci</u>		<u>Math/Sci.</u>		<u>Technology.</u>		<u>Phys. Ed.</u>	
<u>Advisory</u>			<u>Advisory</u>		<u>Advisory</u>		<u>Advisory</u>		<u>Advisory</u>		<u>Advisory</u>	
1	Soc.Stud.	25	Conf.	0	Math	25	Math	25	Technology	25	P.E.	25 125
2	Soc.Stud.	25	English	25	Confer.	0	Math	25	Technology	25	P.E.	25 125
3	Soc.Stud.	25	English	25	Science	25	Conf.	0	Technology	25	P.E.	25 125
4	English	25	English	25	Math	25	Science	25	Conf.	0	P.E.	25 125
5	English	25	Soc.Stud.	25	Science	25	Math	25	Technology	25	Conf.	0 125
6	Conf..	0	Soc.Stud.	25	Science	25	Science	25	Technology	25	P.E.	25 125
7	Enrich.		Enrich.		Enrich.		Enrich.		Enrich.		Enrich.	
		125		125		125		125		125		125
Student Schedules												
Advisory			Advisory		Advisory		Advisory		Advisory		Advisory	
1	Soc. Stud.	1	Math/Sci.	1	Tech.	1	Math/Sci.	1	Math			
2	Math	2	P.E.	2	P.E.	2	Soc. Stud.	2	Tech.			
3	Science	3	English	3	English	3	Tech.	3	P.E.			
4	English	4	Soc. Stu.	4	Math	4	P.E.	4	English			
5	Tech.	5	Science	5	Soc.Stud.	5	English	5	Science.			
6	P.E.	6	Tech.	6	Science	6	Science	6	Soc. Stud.			

Students Achieving Below Grade Level

As stated above, the Scale Leadership Academy model is designed to serve students who are at risk of achieving below proficiency on state exams. Thus, the entire school is focused on serving at risk students. Scale Leadership Academy we will identify at-risk students based on standardized tests, classroom formative and summative assessments, and school-wide quarterly benchmark assessments. We believe that our students will progress from low-achieving to high-achieving during their time at Scale Leadership Academy. Scale will utilize Through ILPs, we intend to isolate specific challenges for each at-risk student and individualize instruction for each of these students to become, not just proficient, but advanced proficient achievers on state tests. The following process will be taken to identify and support students performing below grade level.

- Scale teachers will administer frequent formative assessments, summative assessments, and standardized assessments to monitor student progress.
- Scale teachers will work in Professional Learning Communities (PLC) to analyze assessment results, identify trends, and identify at risk students that are performing below proficient on exams.
- Scale will analyze data and trends within specific subgroups
- Teachers will analyze individual student results and identify students that are far below basic, below basic, and basic.
- Students will be categorized on an RTI chart and interventions will be established for students in each performance band using the PLC approach. Each group classified into a performance band is called a “performance group”. Thus, performance groups will be established in each classroom based on assessment results. (A significant amount of attention will be placed on students that are on the borderline of moving to the next performance band).
- Teachers will implement interventions while establishing small learning groups and teachers will re-teach content with the lowest classroom average as identified by data analysis sheets.
- Advisory teachers will update the individual learning plan for each student and include the target goal to be achieved for each subject.
- The Director/Principal will establish a small-group tutoring schedule to support the needs of far below basic, below basic, and basic performance groups.
- The Director will work with teachers to develop and locate teaching resources and follow-up assessments that will be used during small group instruction and classroom interventions based on the needs of each performance group.
- Small group instruction to address the needs of each performance group will take place during regular class instruction, during advisory, before school, and during the enrichment program as agreed upon the PLC.

Students Achieving Above Grade Level /Gifted and Talented Students

Ultimately, we expect that all students at Scale Leadership Academy will achieve above grade level. High-achieving students are those who regularly score at the Advanced level. Students achieving above grade level and that regularly score at the advance level will be organized in the performance groups. The process for developing interventions for this group will be much like those used to identify and support students performing at basic and below. Teacher will utilize small group performance tasks, individual learning plan goals, and individual and small group

projects that will challenge students to build on existing knowledge and that will be academically challenging. Various projects will be developed by staff through the PLC approach to ensure everyone's cooperation in addressing the needs of students performing above group level. Specialized projects for students performing above grade level will be designed through the Buck Institute Project Based Learning Model. During the school day and afternoon block of enrichment, teachers, administrators, and parents will work with these students by providing opportunities for differentiated instruction, project-based learning, discovery learning, and other activities. SCALE staff will track student progress in the student's Individual Learning Plan. SCALE will implement a fair process for identifying exceptional ability and/or potential and will utilize a range of tools, measurement instruments, and work samples that will adequately assesses the abilities of students of various needs and cultural and socio-economic backgrounds, including English learners and students with special needs.

English Learners

SCALE Leadership Academy will meet all applicable legal requirements for English Learners ("EL") as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

SCALE Leadership Academy defines English Learner as an individual who is in the process of actively acquiring English, and whose primary language is one other than English. This student often benefits from language support programs to improve academic performance in English due to challenges with reading, comprehension, speaking, and/or writing skills in English.

The complexity and heterogeneity of the EL population in the United States has increased dramatically in recent history. ELs have different levels of language proficiency and different socioeconomic status, academic experiences, and immigration history. Thus, they do not fit a single profile. Due the fact that EL Learners will have diverse needs and come from disparate backgrounds, Instruction will need to be differentiated and individualized to support the diverse needs of English Learners.

The main goal of English Language development is to reach the point of "fluency." SCALE follows a conceptual model that holds the assumption that fluency of a second language is developed more quickly when "are fully immersed" in the language and have opportunities to engage in "deliberate practice" of the language to be obtained. Therefore, based on this assumption, and in order to ensure that students are "fully immersed" and are engaged in "deliberate practice," SCALE will need to create a learning environment that "immerses" students in English while utilizing a number of different strategies, resources, supports, and intervention that will enable English Learners to develop higher levels of master of the English Language to the point of fluency.

Home Language Survey/Primary Language Assessment

SCALE Leadership Academy will administer the home language survey upon a student's initial enrollment into the Charter School (on enrollment forms). A primary language assessment

will be given to all parents/guardians to complete after indicating on the home language survey that a language other than English is spoken in the home. The Charter School will utilize CDE sample forms for both the home language survey and primary language assessment **Attachment 15**.

CELDT Testing

All students who indicate that their home language is other than English will be given the California English Language Development Test (“CELDT”) tested within thirty days of initial enrollment⁴⁵ and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.

SCALE Leadership Academy will notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from the publisher. The CELDT shall be used to fulfill the requirements under the No Child Left Behind Act for annual English proficiency testing.

Given the demographics of the Rialto Community, SCALE Leadership Academy expects that a significant percentage of its students will be classified as English Learners. The school is dedicated to providing these students with an exceptional education and transitioning them into English Proficiency as soon as possible. However, the school also recognizes the importance of valuing students’ native languages and reinforces an appreciation for the cultures, customs, and languages of all its students through the school’s core curriculum and enrichment programs.

Students at SCALE Leadership Academy with limited proficiency in English will achieve proficiency in the English language as quickly as possible through the use of the school’s services and teaching methods. SCALE Leadership Academy will ensure that EL students are not excluded from curricular and extra curricular activities based on an inability to speak and understand the language of instruction, and also that EL students are not assigned to special education because of their lack of English proficiency. Parents whose English proficiency is limited will receive notices and information from the school in their native language whenever possible to encourage participation in the school by all members of the SCALE Leadership Academy community.

SCALE Leadership Academy directly provides or makes referrals to appropriate support services that may be needed by EL students in order to achieve and maintain a satisfactory level of academic performance. Such services may include individual counseling, group counseling, home visits, and parental counseling.

ADEPT Interim Assessment

In addition Scale will implement an interim assessment known as ADEPT, which will be used to further assess a student’s growth in regards to his or her language proficiency. This assessment will be delivered to students in January and at the end of the school year. Through the use of this assessment, teachers will gain input on the language development of their students and the

⁴⁵ The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.

assessment will also provide the staff with information regarding specific language skills that they need to address and practice.

Additional Language Testing Methods

The SCALE Leadership Academy believes that student placement should not be based solely on standardized assessment results such as the CELDT and ADEPT. In addition to the CELDT and ADEPT, the Charter School will use a variety of assessment tools to determine the level of proficiency of each student and the level of support that is necessary to help students develop English proficiency. In addition to the CELDT, the Charter School will use;

- Listening comprehension test
- Oral Interview using SOLOM (**Attachment 17**)
- A writing sample
- Reading Interpretation or Paraphrasing Section

These strategies are supported by recent studies on the English Language Development.⁴⁶

Language Proficiency Levels

Students will be classified as Beginning, Early Intermediate, Intermediate, Early Advanced, and Advanced. Students that are classified from Beginning to Early Advanced will be expected to participate in all three program options listed below. These program options are proven research-based strategies that have proven to help students develop English proficiency.

Full Immersion: Participation in Main Stream Classes

English Learners will be enrolled in mainstream classes with the general population so that they are fully immersed in the English Language. Unit and Lesson Plans will include ELD Standards and learning objectives to address the needs of English Learners. Teachers will receive ongoing professional development, clear expectations, and constant reminders of how ELD standards are implemented in daily lessons.

Supports, Strategies for Instruction, Resources and Interventions for English Learners

Supports

First, English Learners will be supported by their Advisory teachers. Advisory teachers will establish individual learning plans for English Learners like all of Scale Leadership Academy students. Individual Learning Plans will include cumulative reports on each student's progress throughout the year as well as outline target goals for each subject. All teachers will have a copy of each student's Individual Learning Plan and will support each student with achieving his or her goals. Advisory teachers are assigned as mentors to their Advisory students (including specific English Learners) and are responsible to ensure that each student's goals are met.

Instructional Strategies

⁴⁶ Richard-Amato, Patricia A. Making It Happen: From Interactive to Participatory Language Teaching (3rd Edition), Pearson Education, Inc., White Plains, N.Y. 2003. 47

In addition to the support English Learners receive from their Advisory teachers, a number of different strategies will be utilized during daily instruction. Scale will utilize a number of different instructional and intervention activities that are based on the key assumptions of the Scale learning model. During daily lessons, teachers will achieve lesson objectives and language development standards by utilizing SDAIE and GLAD techniques. This includes but not limited to the following techniques:

- Workshop models
- Literature Circles
- Cooperative learning
- Thematic teaching
- Language experience approach
- Dialogue journals
- Questioning techniques
- Scaffolding instruction
- Kinesthetic activities
- Books on tape
- Graphic organizers
- Caption television
- Pre-teaching vocabulary
- Manipulatives
- Using culturally relevant materials
- Repetition
- Modeling
- Reading sources provided in students' primary languages

In addition, SCALE will use SIOP strategies. Strategies such as these are research-based strategies that support English Learners with language development. The SCALE model for addressing the needs for English Learners bases its approach on the assumption that English Learners come from diverse backgrounds and will have diverse needs. One approach or strategy will not be sufficient to address their diverse needs. Therefore, SCALE teachers will differentiate instruction and provide individualized instruction that will be tailored to address the needs of English Learners. In order to achieve these aims, SCALE teachers will provide lessons with different learning modalities, assign small group workstations and assignments, and will hold individual meetings with students to discuss his or her progress and review Individual Learning Plans against classroom performance results.

In Language Arts, SCALE believes that oral language comprehension and production is the critical link allowing EL students to make large gains in Reading and Writing. As specified in the description of the educational program, SCALE Leadership Academy will implement the Gradual Release of Responsibility process during daily lessons. One key part of this process involves small group interaction. Thus, English Learners will participate in leveled reading groups and literature circles that are aimed to improve language development and comprehension with students with similar language needs. During literature circle activities, the teacher will facilitate guided lessons and activities that focus on language development and comprehension. Through small group instruction, English Learners will be able to receive specific language instruction and they are able to further develop their language proficiency through re-tells, explicit vocabulary lessons, and a small group focus on language development. Also in Language Arts, teachers will monitor the reading progress of English Learners through the Accelerated Reader program. This program recommends books based on each student's

reading level and helps them improve comprehension as they experience new literature. Block scheduling permits two hours of instruction for each class meeting. With the extended time provided through block schedules, 30-35 minutes will be dedicated to reading as recommended by Accelerated Reader.

In Science and Social Studies, we intend to focus on hands-on and project-based curriculum in order to build our students curiosity about these subjects. We then provide leveled readers so that they can build academic vocabulary at their current reading level. Academic vocabulary is much more difficult for EL students to acquire than spoken vocabulary. We believe that curious students who are able to access texts at their instructional level will allow our students to make significant gains in their Science and Social Studies knowledge. Thus, the purposeful focus on the use of guided reading as an instructional strategy and ensuring that all students have access is critical to their success and further acquisition of language.

Resources & Tools

SCALE will also provide a number of different tools for English Learners. For example, each class will contain 2-4 computers that will be utilized as a language center. Teachers will assign language activities to English Learners while other groups are participating in small group reading activities. The language center will include language programs such as Rosetta Stone, Accelerated Reader and a variety of interactive language programs that are designed to support English Learners achieving fluency.

Modifications and Accommodations

Teachers at SCALE will also provide appropriate modifications or changes to tests and testing procedures so that EL content knowledge is more accurately measured. Appropriate accommodations (e.g., allowing extra time to take a test, providing dictionaries, electronic translators, and making changes to materials, protocols, or the testing conditions) are used to facilitate the valid participation of ELs in assessments without undermining the test construct.

Interventions

SCALE will develop interventions for English Learners using the PLC model. This will be the same process that will be used to identify students performing below and above grade level. SCALE will use the RTI data analysis process to identify and diagnose student needs and organize students in to performance groups. Students who are struggling due to language proficiency will be participating in intervention activities that are specifically focused on decoding and comprehension. These activities may include comprehensive activities that explicitly and systematically build English language skills during reading instruction. There are interventions that focus explicitly on English letter/sound correspondences, word patterns, spelling rules, and other skills. By introducing these skills in isolation and practicing them in context, students are better able to move through the language proficiency categories. In addition, during RTI there is vocabulary instruction for these students through the usage of graphic organizers, drawings, motions, pictures, and other means. Finally, in class and during RTI, teachers will emphasize the relationships between and among words to build oral language skills that includes story retells that target both comprehension and language development. The Director and Principal will work with teachers to establish interventions before, during, and after school to support the needs of English Learner performance groups.

Structurally, SCALE Leadership Academy runs a full-inclusion program for our English Learners. SCALE's English Learners will not be in sheltered or bilingual instruction classes at SCALE Leadership Academy. From the first day of school, EL students will be immersed in English, with the support they need to learn the language and develop the grammatical framework and vocabulary needed to begin developing as readers and writers. In our experience, the most crucial aspect of teaching EL students is the professional development that teachers have had in order to understand the steps that their students are going through in order to acquire English. Thus, SCALE Leadership Academy will dedicate numerous professional development meetings throughout the year specifically on identifying the needs of English Learners and providing high quality instruction, support, and interventions to help English Learners achieve their academic and language goals.

Monitoring and Re-Designation of EL Students

EL students are monitored by teachers, school administrators and qualified evaluators, and are measured at least twice per year. First, Students will receive CELDT testing annually. In addition, the Charter School will evaluate student progress at the conclusion of each semester. Thus, in order to properly monitor student progress, evaluations will be an integral part of the classroom environment in all settings. The Charter School will utilize CELDT results, ADEPT results, classroom portfolio items, a performance checklist (Attachment 20), teacher observations reports, academic assessments, and an oral examination (Attachment 17) to monitor and re-designate EL students. These assessments and benchmarks will document student progress towards proficiency and determine the necessary supports and interventions that are unique to their development.

Reclassification procedures utilize multiple criteria in determining whether to classify a pupil as proficient in English including, but not limited to, all of the following:

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT.
- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents' opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.
- The Student Oral Language Observation Matrix will be used by teachers to measure50

progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.

Prior to re-classification, all parents receive a re-classification meeting notification letter, where they are invited to a meeting to discuss their child's English proficiency and academic achievement, and possible re-designation to Fluent English Proficient.

SCALE Leadership Academy evaluates each student's performance in academic content areas to measure the student's progress in core subjects. If an EL student fails to show appropriate progress in these academic areas, modifications to the instructional program will be made. In addition, SCALE Leadership Academy will annually evaluate the progress of its EL students as a group to determine if any broader programmatic modifications are necessary.

Parental Notices and Waivers

SCALE Leadership Academy will provide sheltered instructional strategies based on the SIOP model in mainstream classrooms to support all EL students that are considered to have less than "reasonable fluency" (EC Section 305). In addition, the Charter School will provide various support options for English Learners. This includes the Saturday Intervention Sheltered Instruction Program and the Extended Day Sheltered Instruction Program. The requirement that EL students be placed in a Structured English Immersion Program during the traditional school day may be waived by parental consent (California Code of Regulations, Title 5, Section 11301). At the beginning of each school year, parents/guardians are informed regarding the options and services provided by the Charter School.

Monitoring and Evaluation of Program Effectiveness

The evaluation for the program effectiveness for ELs in the Charter School will include:

- Adhere to Charter School-adopted academic benchmarks by language proficiency level and years in program to determine adequate yearly progress.
- Monitoring of teacher qualifications and the use of appropriate instructional strategies based on program design.
- Monitoring of student identification and placement.
- Monitoring of parental program choice options.
- Monitoring of availability of adequate resources.

SERVING STUDENTS WITH DISABILITIES

Overview

The founders of SCALE Leadership Academy believe that all students, regardless of family background, income, race, religion, disability, gender, gender identity, gender expression or health *can and will learn*. This common belief covers the realm from students behind grade level to special education students to English Learners. SCALE Leadership Academy shall comply with all applicable State and Federal Laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act ("Section 504"), the Americans with

Disabilities Act (“ADA”) and the Individuals with Disabilities in Education Improvement Act (“IDEIA”).

The Charter School shall comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures: and shall utilize appropriate SELPA forms.

The Charter School shall be solely responsible for its compliance with Section 504 and the ADA. The facilities to be utilized by the Charter School shall be accessible for all students with disabilities.

Operation as a Public School of the District

Until such time as SCALE Leadership Academy is accepted into a SELPA as an LEA pursuant to Education Code Section 47641(a), the Charter School shall operate as a public school of the District in accordance with Education Code Section 47641(b).

The following description regarding how special education and related services will be provided and funded is being proposed by the Charter School for the sole purpose of providing a reasonably comprehensive description of the special education program in the Charter Petition, and is not binding on the District. The specific manner in which special education and related services will be provided and funded shall be set forth in a Memorandum of Understanding (“MOU”) (A sample proposed MOU is attached as **Attachment 25** delineating the respective responsibilities of the Charter School and the District, which MOU shall be executed at least ninety (90) days prior to the commencement of operation, or as otherwise agreed upon by the parties. The following provisions are meant to summarize the Charter School Petitioner’s understanding of the manner in which special education instruction and related services shall be provided by the Charter School and the District. The following language mirrors the typical “industry standard” arrangement between a school district and a charter school and aligns with State and Federal law which requires that students in charter schools receive special education and related services in the same manner as any other student in the District. **The language that follows is not meant to unilaterally bind the District, or to preclude alternative arrangements between the District and the Charter School as agreed upon in a MOU:**

The Charter School intends to provide special education instruction and related services in accordance with the IDEA, Education Code requirements, and applicable policies and practices of the SELPA. The Charter School shall remain, by default, a public school of the District for purposes of Special Education purposes pursuant to Education Code Section 47641(b). However, the Charter School reserves the right to make written verifiable assurances that the Charter School shall become an independent LEA and join a SELPA pursuant to Education Code Section 47641(a) either on its own or with a grouping of charter school LEAs as a consortium.

As a public school of the District, solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. 1413, the Charter School seeks services from the District for special education students enrolled in the Charter School in the same manner as is provided to students in other District schools. The Charter School will follow the District and SELPA policies and procedures, and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for

responding to record requests and parent complaints, and maintaining the confidentiality of pupil records. The Charter School will comply with District protocol as to the delineation of duties between the District central office and the local school site in providing special education instruction and related services to identified pupils. An annual meeting between the Charter School and the District to review special education policies, procedures, protocols, and forms of the District and the SELPA and District protocol, will ensure that the Charter School and the District have an ongoing mutual understanding of District protocol and will facilitate ongoing compliance.

As long as the Charter School functions as a public school of the District solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), then we would anticipate that a Memorandum of Understanding (“MOU”) would be developed between the District and the Charter School which spells out in detail the responsibilities for provision of special education services and the manner in which special education funding will flow to the students of the School.

The District shall be designated the Local Educational Agency (“LEA”) serving Charter School students. Accordingly, the Charter School shall be deemed a public school of the District pursuant to Education Code Section 47641(b) and 47646(a). The Charter School agrees to adhere to the requirements of the Local Plan for Special Education and to District policies. As a public school of the District, solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. 1413, the Charter School seeks services from the District for special education students enrolled in the Charter School in the same manner as is provided to students in other District schools.

The Charter School acknowledges the importance of cooperating with the District so that the District can provide special education services to Charter School students. The Charter School agrees to promptly respond to all District inquiries, to comply with reasonable District directives, and to allow the District access to Charter School students, staff, facilities, equipment and records as required to fulfill all District obligations under this Agreement or imposed by law. The Charter School believes that the allocation of responsibility for the provision of services (including but not limited to referral, identification, assessment, case management, Individualized Education Plan (“IEP”) development, modification and implementation) shall be divided in a manner consistent with their allocation between the District and its school sites.

Staffing

All special education services at the Charter School will be delivered by individuals or agencies qualified to provide special education services as required by California’s Education Code and the IDEIA. Charter School staff shall participate in all mandatory District in-service training relating to special education.

It is the Charter School’s understanding that the District will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists unless the District directs the Charter School that current District practice is for the individual school sites to hire site special education staff or the District and the Charter School agree that the Charter School must hire on-site special education staff. In that instance, the Charter School shall ensure that all special education staff hired by the Charter School is qualified pursuant to District and SEPLA policies, as well as meet all legal requirements. The

District may review the qualifications of all special education staff hired by the Charter School (with the agreement of the District) and may require pre-approval by the District of all hires to ensure consistency with District and SELPA policies. The District shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

Notification and Coordination

The Charter School shall follow District policies as they apply to all District schools for responding to implementation of special education services. The Charter School will adopt and implement District policies relating to notification of the District for all special education issues and referrals.

The Charter School shall follow District policies as they apply to all District schools for notifying District personnel regarding the discipline of special education students to ensure District pre-approval prior to imposing a suspension or expulsion. The Charter School shall assist in the coordination of any communications and immediately act according to District administrative policies relating to disciplining special education students.

Identification and Referral

The Charter School shall have the responsibility to identify, refer, and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. The Charter School will implement District and SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A pupil shall be referred for special education only after the resources of the regular education program have been considered, and where appropriate, utilized.

It is the Charter School's understanding that the District shall provide the Charter School with any assistance that it generally provides its schools in the identification and referral processes, and will ensure that the Charter School is provided with notification and relevant files of all students who have an existing IEP and who are transferring to the Charter School from a District school. The District shall have unfettered access to all Charter School student records and information in order to serve all of Charter School's students' special needs.

In the event that the Charter School receives a parent written request for assessment, it will work collaboratively with the District and the parent to address the request. Unless otherwise appropriate pursuant to applicable State and Federal law, the Charter School and the District will provide the parent with a written assessment plan within fifteen days of receipt of the written request and shall hold an IEP within sixty days of parent's consent to the assessment plan to consider the results of any assessment.

The Charter School will follow District child-find procedures to identify all students who may require assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.

Assessments

The term “assessments” shall have the same meaning as the term “evaluation” in the IDEIA, as provided in Section 1414, Title 20 of the United States Code. The District will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with the District’s general practice and procedure and applicable law. The Charter School shall work in collaboration with the District to obtain parent/guardian consent to assess Charter School students. The Charter School shall not conduct special education assessments unless directed by the District.

IEP Meetings

It is the Charter School’s understanding that the District shall arrange and notice the necessary IEP meetings. IEP team membership shall be in compliance with state and federal law. The Charter School shall be responsible for having the following individuals in attendance at the IEP meetings or as otherwise agreed upon by the District and Charter School: the Principal and/or the Charter School designated representative with appropriate administrative authority as required by the IDEIA; the student’s special education teacher; the student’s general education teacher if the student is or may be in a regular education classroom; the student, if appropriate; and other Charter School representatives who are knowledgeable about the regular education program at the Charter School and/or about the student. It is the Charter School’s understanding that the District shall arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEIA, a speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide of notice of parental rights.

IEP Development

The Charter School understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the IEP team, pursuant to the District’s IEP process. Programs, services and placements shall be provided to all eligible Charter School students in accordance with the policies, procedures and requirements of the District and of the SELPA and State and Federal law.

The Charter School shall promptly notify the District of all requests it receives for assessment, services, IEP meetings, reimbursement, compensatory education, mediation, and/or due process whether these requests are verbal or in writing.

IEP Implementation

Pursuant to District policy and how the District operates special education at all other public schools in the District; the District shall be responsible for all school site implementation of the IEP. The Charter School shall assist the District in implementing IEPs, pursuant to District and SELPA polices in the same manner as any other school of the District. The District and Charter School will need to be jointly involved in all aspects of the special education program, with the District holding ultimate authority over implementation and supervision of services. As part of this responsibility, the Charter School shall provide the District and the parents with timely

reports on the student's progress as provided in the student's IEP, and at least quarterly or as frequently as progress reports are provided for the Charter School's non-special education students, whichever is more. The Charter School shall also provide all home-school coordination and information exchange unless directed otherwise by the District. The Charter School shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology unless directed otherwise by the District. The Charter School shall comply with any directive of the District as relates to the coordination of the Charter School and District for IEP implementation including but not limited to adequate notification of student progress and immediate notification of any considered discipline of special education students in such matters, the petitioners would notify the District of relevant circumstances and communications immediately and act according to District administrative authority.

Interim and Initial Placements of New Charter School Students

The Charter School shall comply with Education Code Section 56325 with regard to students transferring into the Charter School within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in the Charter School from another school district within the State, but outside of the SELPA with a current IEP within the same academic year, the District and the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time the District and Charter School shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law. In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into the Charter School from a district operating programs under the same special education local plan area of the District within the same academic year, the District and the Charter School shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and the District agree to develop, adopt, and implement a new IEP that is consistent with federal and state law. For students transferring to the Charter School with an IEP from outside of California during the same academic year, the District and the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP in consultation with the parents, until the District conducts and assessment pursuant to paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the District, and develops a new IEP, if appropriate that is consistent with federal and state law.

Non-Public Placements/Non-Public Agencies

The District shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students. The Charter School shall not hire, request services from, or pay any non-public school or agency to provide education or services to special education students without the prior written approval of the District. The Charter School shall immediately notify the District of all parental requests for services from non-public schools or agencies, unilateral placements, and/or requests for reimbursement.

Non-discrimination

It is understood and agreed that all children will have access to the Charter School and no student shall be denied admission nor counseled out of the Charter School due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

Parent/Guardian Concerns and Complaints

The Charter School shall follow District policies as they apply to all District schools for responding to parental concerns or complaints related to special education services. The Charter School shall instruct parents/guardians to raise concerns regarding special education services, related services and rights to the District unless otherwise directed by the District. The Charter School shall immediately notify the District of any concerns raised by parents. In addition, the Charter School and the District shall immediately bring to the other's attention any concern or complaint by a parent/guardian that is in writing and/or which involves a potential violation of state or federal law.

The District's designated representative, in consultation with the Charter School's designated representative, shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. The Charter School shall allow the District access to all facilities, equipment, students, personnel, and records to conduct such an investigation.

The Charter School and the District shall timely notify the other of any meetings scheduled with parents/guardians or their representatives to address the parent/guardian concerns or complaints so that a representative of each entity may attend. The District, as the LEA, shall be ultimately responsible for determining how to respond to parent concerns or complaints, and the Charter School shall comply with the District's decision.

The Charter School and the District shall cooperate in responding to any complaint to or investigation by the California Department of Education, the United States Department of Education, or any other agency, and shall provide timely notice to the other upon receipt of such a complaint or request for investigation.

Due Process Hearings

The District may initiate a due process hearing or request for mediation with respect to a student enrolled in Charter School if the District determines such action is legally necessary or advisable. The Charter School agrees to cooperate fully with the District in such a proceeding. In the event that the parents/guardians file for a due process hearing, or request mediation, the District and the Charter School shall work together to defend the case. In the event that the District determines that legal representation is needed, the Charter School agrees that it shall be jointly represented by legal counsel of the District's choosing.

The Charter School understands that the District shall have sole discretion to settle any matter in mediation or due process. The District shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any Charter School student necessary to protect its rights.

SELPA Representation

It is the Charter School's understanding that the District shall represent the Charter School at all SELPA meetings and report to the Charter School of SELPA activities in the same manner as is reported to all schools within the District.

Funding

The Charter School understands that it will enter into a MOU with the District regarding Special Education funding, and cannot at this time unilaterally dictate the funding relationship between the District and the Charter School. The Charter School anticipates, based upon State and Federal law that the fiscal relationship could be summarized as follows

Retention of Special Education Funds by the District

The District shall retain all state and federal special education funding allocated for Charter School students through the SELPA Annual Budget Plan, and shall be entitled to count Charter School students as its own for all such purposes.

Retention of ADA Funds by the District for Non-Public Placements

The Parties acknowledge that the District may be required to pay for or provide Charter School students with placements at locations other than at the Charter School's school site in order to provide them with a free appropriate public education. Such placements could include, without limitation, programs or services in other District schools, in other public school districts within the SELPA, in a County Office of Education program, in a non-public school, at home, at a hospital, or in a residential program. When such programs or services are provided at District expense, the District shall be entitled to receive from the Charter School the pro rata share of all funding received for such student, including, without limitation, all ADA funds, based on the number of instructional days or minutes per day that the student is not at the Charter School site.

Contribution to Encroachment

The Charter School shall contribute its fair share to offset special education's encroachment upon the District's general fund. Accordingly, the Charter School shall pay to the District a pro-rata share of the District's unfunded special education costs ("Encroachment"). At the end of each fiscal year, the District shall invoice the Charter School for the Charter School's pro-rata share of the District-wide Encroachment for that year as calculated by the total unfunded special education costs of the District (including those costs attributable to Charter School) divided by the total number of District ADA (including Charter School students), and multiplied by the total number of Charter School ADA. The Charter School ADA shall include all Charter School students, regardless of home district.

Section 504 of the Rehabilitation Act

The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter School. Any student, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the Charter School.

A 504 team will be assembled by the Principal and shall include the parent/guardian, the student (where appropriate) and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student's existing records; including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEIA but found ineligible for special education instruction or related services under the IDEIA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team, which will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials including those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligence quotient.
- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills.

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing and notice is given in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEIA, a referral for assessment under the IDEIA will be made by the 504 team.

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives a free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the School's professional staff.

The 504 Plan shall describe the Section 504 disability and any program accommodations, modifications or services that may be necessary.

All 504 team participants, parents, guardians, teachers and any other participants in the student's education, including substitutes and tutors, must have a copy of each student's 504 Plan. The site administrator will ensure that teachers include 504 Plans with lesson plans for short-term substitutes and that he/she review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the student's file. Each student's 504 Plan will be reviewed at

least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

Attached as **Attachment 22** please find the proposed 504 policy.

EDUCATIONAL PROGRAM AND IMPLEMENTATION PLAN

Figure 20.

INITIATIVE METHODS	END GOAL	TIMELINE FOR COMPLETION	
		WEEK	YEAR
STANDARDS-BASED GRADING	All units, lessons, and assessments are aligned to California standards and at an appropriate level of rigor. Grades are aligned with specific standards enabling staff to track student performance levels.	1	1
PROJECT-BASED LEARNING	Teachers integrate high-quality standards-based projects into at least two instructional units during the second semester.	18	1
CAPSTONE PROJECT	One high quality, integrated, standards-based capstone project per grade level per year.	31	1
TECHNOLOGY INTEGRATION - DIGITAL PORTFOLIO	Digital portfolios are aligned to standards and school-wide outcomes, are of excellent quality and support student reflection and learning. Portfolios are archived and kept on file for evaluation prior to graduation.	5	2
TECHNOLOGY INTEGRATION	Core subjects integrate technology appropriately. Students have multiple opportunities to identify, select, and apply the most appropriate technology applications for a given project or assignment.	4	1
PARENT INVOLVEMENT	Parents are involved in the day-to-day operations, events, programs, and activities.	1	1
DATA MANAGEMENT AND ANALYSIS	Data Director is used in all content areas. Data driven decision-making is a continuous school-wide practice to guide instruction.	8	1
COUNSELING SERVICES	High quality counseling model in place and operational.	8	1
INTERVENTIONS	All students actively participating in appropriate, high-quality intervention, acceleration, and enrichment that results in increased achievement.	10	1

ENRICHMENT ACTIVITIES	All students are actively engaged in extra-curricular activities and have extended opportunities for academic development. Teachers encourage students to stay involved and build stronger bonds with students and staff outside the classroom and in non-traditional settings.	10	1
GRADUAL RELEASE OF RESPONSIBILITY MODEL	Teachers provide a learning environment that enhances students' opportunities to build on new knowledge and transfer new skills to tasks with ever-increasing difficulty.	2	1
ILPS	Each student will have an Individual Learning Plan to ensure that all students are making positive progress toward individual and school goals. This will be conducted in Advisory courses and will include the participation of all teachers and administrators.	11	1
GUIDED EXPERIENTIAL LEARNING DESIGN	Teachers use a research-based approach to instructional design and lesson delivery. This strategy is consistent with the gradual release of responsibility model and supports teachers with providing clear expectations to all students.	3	1
EARLY WARNING SYSTEM/RESPONSE TO INTERVENTION	Teachers conduct an analysis to detect struggling students and develop a system and protocols to respond to student needs.	4	1
HABITS OF MIND	Teachers are applying the habits of mind strategy at least 2 times per month and utilize GATE Icons.	3	1
BEATING THE ODDS STRATEGIES	Teachers integrate beating the odds strategies into daily lessons to ensure key skills and are taught in conjunction with core language arts standards.	5	1
PROFESSIONAL LEARNING COMMUNITIES/DESIGN TEAMS	Staff members routinely articulate the major principles of the shared vision and use those principals to guide their day-to-day efforts and decisions. This will allow staff to eliminate discrepancies between the school vision and current practices. Teachers work collaboratively in face-to-face and virtual settings to design and improve authentic unit plans, materials, and assessments. Inquiry, self-evaluation, goal setting, reviews of student work samples and peer observations will also take place.	3	2
STUDENT SUCCESS TEAMS	Staff members form teams to ensure the success of at-risk students identified in our early warning system.	10	1
EVERYONE TEACHERS ENGLISH	All teachers integrate language arts skills in all subjects to support students with reading, writing, and literacy.	1	1
SYSTEMATIC ELD	Teachers provide reading materials in students' native language and frontload new vocabulary prior to introducing new ideas, concepts, facts.	21	1

EVALUATION OF THE EDUCATIONAL PROGRAM

Gap Analysis

SCALE Leadership Academy believes that the Gap Analysis Framework and Overall Program Evaluation is key to its academic success. These evaluations provide quantitative and qualitative data that will support the school with decision-making and allow for greater opportunities for achievement. SCALE believes that our commitment to objective data evaluation will set us apart from other schools and allow greater opportunities for improvement and progress toward the SCALE mission.

Gap Analysis Process Essential Questions

1. What is our performance goal?
2. Where are we now (related to the goal)?
3. What is the size of the gap?
4. What is causing the gap (knowledge/skill, motivation, or organizational policies/culture)?
5. What solutions will close the gap?
6. How will we implement the solutions?
7. How will we measure our progress?

Overall Program Evaluation

SCALE Leadership Academy will conduct an evaluation of the overall instructional program at the conclusion of each school year. This evaluation process is separate from the Gap Analysis Evaluation of specific programs and specific academic goals. SCALE will conduct a final overall evaluation by selecting key indicators from pre-selected areas of interest. This will include at least 5 indicators. SCALE will form an Evaluation Steering Committee representing key stakeholders. The Evaluation Steering Committee will recommend the areas for evaluation based on the rationale that each of these areas is significantly related to the success of the school's overall instructional program. The areas to be examined may include any of the following:

Key Evaluation Areas (Indicators)⁴⁷

1. Community characteristics
2. School culture and climate
3. School governance
4. Student characteristics
5. Teacher characteristics
6. Parent characteristics
7. Instructional supervision
8. Curriculum development process
9. Classroom teacher practices
10. Student achievement

⁴⁷ Glickman, C., Gordan, S., and Ross Gordon, J. 2007. *Supervision and instructional leadership: A developmental approach*. Boston: Pearson

11. Professional development programs
12. Parent and community involvement programs
13. Student assessment methods
14. Relationships with other school, central office, and external organizations

Process for Overall Program Evaluation

1. Selecting Areas to be examined
2. Identifying Specific Evaluation Questions
3. Designing the Evaluation
4. Gathering and Analyzing Data
5. Preparing and Presenting the Evaluation Report

Figure 21. Four Levels of Evaluation⁴⁸

<p>LEVEL 1: REACTION Are the participants motivated by the program? Do they value it?</p>
<p>LEVEL 2: IMPACT DURING THE PROGRAM Is the system effective while it is being implemented?</p>
<p>LEVEL 3: TRANSFER Does the program continue to be effective after it is implemented?</p>
<p>LEVEL 4: BOTTOM LINE Has the transfer contributed to the achievement of organizational goals?</p>

Figure 22. Example of Level 1 Reaction Questions⁴⁹

Example of Level 1 Reaction Questions
<p>Open Questions</p> <p>What would you change about this program, and how would you change it, to make it more effective for you and for others?</p> <p>What features of this program do/did you like or value?</p> <p>What do/did you dislike about this program?</p>
<p>Closed Questions: Please circle the number that best represents your own reactions to this program.</p> <p>Far Below Average-1 Below Average-2 Average-3 Above Average-4 Far Above Average-5</p> <p>1. Overall, how much are/did you enjoy(ing) this program (compared with other, similar programs) ? 1 2 3 4 5</p> <p>2. Will you be able to use what you gained on the training? (will you be supported in using it in the classroom)? 1 2 3 4 5</p> <p>3. How confident are you that these strategies will work (will what you gained be effective when you use it)? 1 2 3 4 5</p> <p>4. How much do you value the goals of this program (compared to other performance goals you face)? 1 2 3 4 5</p>

⁴⁸ Clark, R. E., & Estes, F. (2002), *Turning Research into Results: A guide to selecting the right performance solutions*. Atlanta, GA: CEP Press. (pg. 128)

⁴⁹ Clark, R. E., & Estes, F. (2002), *Turning Research into Results: A guide to selecting the right performance solutions*. Atlanta, GA: CEP Press. (pg. 130).

Figure 22.⁵⁰

BOTTOM LINE STAGED INNOVATION EVALUATION DESIGN				
FIRST TRIAL APPLICATION OF A NEW PROGRAM				
	LEVEL 1 BASELINE MEASURE	LEVEL 2 PERFORMANCE IMPROVEMENT	LEVEL 3 TRANSFER TEST	LEVEL 4 IMPACT MEASURE
TEACHER 1	2.4	O	2.8	+0.4
TEACHER 2	X	O	X	X
TEACHER 3	X	O	X	X
SECOND APPLICATION-REVISED PRGOGRAM				
	LEVEL 1 BASELINE MEASURE	LEVEL 2 PERFORMANCE IMPROVEMENT	LEVEL 3 TRANSFER TEST	LEVEL 4 IMPACT MEASURE
TEACHER 1	X	O-2	X	X
TEACHER 2	X	O-2	X	X
TEACHER 3	X	O-2	X	X
THIRD APPLIATION				
	LEVEL 1 BASELINE MEASURE	LEVEL 2 PERFORMANCE IMPROVEMENT	LEVEL 3 TRANSFER TEST	LEVEL 4 IMPACT MEASURE
TEACHER 1	X	O-3	X	X
TEACHER 2	X	O-3	X	X
TEACHER 3	X	O-3	X	X
FIGURE LEGEND X= TEST OF PERFORMANCE AT ONE OF THE LEVELS O=ORIGINAL PROGRAM IMPLEMENTATION O-2/O-3=REVISED OR IMPROVED VERSIONS				

⁵⁰ Clark, R. E., & Estes, F. (2002), *Turning Research into Results: A guide to selecting the right performance solutions*. Atlanta, GA: CEP Press. (pg. 138)

ELEMENT B: MEASURABLE OUTCOMES

The measurable pupil outcomes identified for use by the charter school. ‘Pupil outcomes,’ for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.” Ed. Code § 47605 (b)(5)(B)

SCALE Leadership Academy expects its students to achieve the following goals:

English Language Arts

- 1. 80% of all students proficient or above on quarterly benchmark exams in English Language Arts;**
- 2. 100% of students are proficient or above on Semester1 final exam in English Language Arts**
- 3. 100% of students are proficient or above on Semester 2 final exam in English Language Arts**
 - *grade-level appropriate reading with comprehension*
 - *speaking with clarity and meaning*
 - *thorough and analytical response to historically and culturally significant works of literature*
 - *clear and effective oral expression*
 - *clear and well structured persuasive writing*

Mathematics

- 1. 80% of all students are proficient or above on quarterly benchmark exams in Mathematics;**
- 2. 100% of students are proficient or above on Semester1 final exam in Mathematics**
- 3. 100% of students are proficient or above on Semester 2 final exam in Mathematics**
 - *understanding of formal logical reasoning*
 - *application of logical reasoning*
 - *analytic and symbolic processing*
 - *arithmetic and algebraic manipulation and construction*
 - *number sense*
 - *skills in measurement and geometry*
 - *data analysis, probability, and basic statistics*
 - *pre-algebraic and algebraic thinking*

Science

- 1. 80% of all students are proficient or above on quarterly benchmark exams in Science;**
- 2. 100% of students are proficient or above on Semester1 final exam in Science**
- 3. 100% of students are proficient or above on Semester 2 final exam in Science**
 - *proficiency in the fundamental concepts and terms of various branches of science, including Earth Science, Life Science, and Physical Science*
 - *skills in investigation*
 - *skills in experimentation*

Social Studies

- 1. 80% of all students are proficient or above on quarterly benchmark exams in Social Studies;**
- 2. 100% of students are proficient or above on Semester1 final exam in Social Studies**
- 3. 100% of students are proficient or above on Semester 2 final exam in Social Studies**
 - *knowledge of important events and ideas in ancient civilization (sixth grade), world history and geography (seventh grade) and US History (eighth grade)*
 - *intellectual reasoning*
 - *research skills*
 - *chronological and spatial thinking*
 - *understanding of different points of view*
 - *historical and social sciences analysis*

SCALE Leadership Academy will address all state standards for each grade and subject level. Specific subject proficiency targets are noted in the Academic Growth section below.

In addition, students at SCALE Leadership Academy will foster lifelong learning and interpersonal skills. All service learning activities will include assessments and reflection on students' core subject knowledge as well as the following life skills, including:

Figure 23. Additional Assessments

Self-Assessment	Students evaluate their own progress while reflecting on exam, portfolio items, benchmarks, and projects.
Collaboration and Cooperation	Students are evaluated based on group interaction and expectations express in group compacts when completing team projects.
Critical Thinking and Problem Solving	Critical thinking a problem solving will be evident in multiple work samples and will be evaluated based on the habits of mind criteria.
Self-discipline	Students will reflect on their behavior, contributions to the school community, and overall participation.

Technology	Students and teachers will reflect on technology projects and assignments to determine if student outcomes for technology were met.
Goal Setting	Students will complete evaluations and reflection on what goals were established and met or unmet.

STUDENT PROGRESS

SCALE Leadership Academy will maintain clear and high expectations for its students and their academic achievements. All data will be disaggregated to show how sub-groups perform. The school director, staff, and teachers will be held accountable to the Board for meeting the school outcome goals. SCALE Leadership Academy will pursue the following outcome goals. Pursuant to AB1137, we expect the SCALE Leadership Academy charter petition to be renewed should it satisfy at least one of the preceding student outcome goals.

- SCALE Leadership Academy will rank 4 or better on the similar school Academic Performance Index ranking system in the year prior to charter renewal or two of the last three years prior to charter renewal.
- SCALE Leadership Academy will rank 4 or better on the statewide Academic Performance Index ranking system in the year prior to charter renewal or two of the last three years prior to charter renewal.
- SCALE Leadership Academy will meet its API growth target in the year prior to charter renewal or two of the last three years prior to charter renewal.
- SCALE Leadership Academy's academic performance will be equal to or better than the academic performance of the Rialto Unified School District schools SCALE Leadership Academy students would otherwise attend.
- SCALE Leadership Academy's academic performance will be equal to or better than the academic performance of the Rialto Unified School District schools in the area containing similar pupil populations
- SCALE Leadership Academy will meet and exceed AYP targets and exit Program Improvement by ensuring (using the means described above) that at least 57% of students demonstrate proficiency on the ELA CST, and 58% students demonstrate proficiency on the math CST by the end of the charter term.
- The school will seek to increase API at least 20 points each year with a goal of achieving 800 by the end of the charter term.

Additionally, SCALE Leadership Academy will meet or exceed the following goals:

1. 40% of English Language Learners will increase their CELDT scores by at least 170

ELD level every school year.

2. 95% attendance rate
3. Score an average of 80% overall score card rating in eight modules of the SHI (School Health Index) on a yearly basis.⁵¹

Although renewal of the SCALE Leadership Academy Petition is contingent solely on the requirements set forth in AB 1137, SCALE Leadership Academy is also committed to meeting benchmarks and outcomes as described below:

BENCHMARKS TO BE MET

The achievement of the charter school will be measured in both growth and absolute measures and will be compared to the achievement of selected district schools that are similar in demographic and other characteristics.

Comparison Schools

In gauging the success of the charter school during the renewal term, a group of comparison district schools will be selected that meet the following criteria.

The analysis of the school's academic performance will include a comparison of the academic achievement of the charter school's students to the academic achievement of two sets of comparison district schools:

1. The residence schools the charter school students would have otherwise attended ("Resident Schools"); and
2. District schools of similar demographic characteristics ("Demographically Similar Schools").

Primary Growth Measures

Growth in student achievement is the primary measure that will be used to determine whether the school has been an academic success in its renewal period. The growth of the charter school will be measured annually against the growth of the comparison schools. At the time of renewal, if the charter school has met all of the following benchmarks either in the previous year or in two of the previous three years, the charter school will be considered an academic success:

1. The charter school's API score at the time of renewal is greater than the median API score for the comparison schools.
2. The percentage of charter school students scoring Advanced & Proficient in ELA on the CST is greater than the median percentage for comparison schools.
3. The percentage of charter school students scoring Advanced & Proficient in Math on the

⁵¹ <https://apps.nccd.cdc.gov/SHI/Default.aspx> (Center for Disease Control: School Health Index Assessment)

CST is greater than the median percentage for comparison schools.

4. The percentage of charter school students scoring Below Basic & Far Below Basic in ELA on the CST is below the median percentage for comparison schools.
5. The percentage of charter school students scoring Below Basic & Far Below Basic in Math on the CST is below the median percentage for comparison schools.
6. The percentage of charter school ELL students re-designated to English proficiency is greater than the median for comparison schools.
7. The school has met its AYP goals and is not in Program Improvement

Board Discretion

At the time of renewal, the Charter Schools Division will present an analysis of its findings with respect to the above with a recommendation for action. The determination of whether a charter will be renewed will be based upon the requirements of the Education Code and is within the purview of the Board determination.

ELEMENT C — METHOD BY WHICH STUDENT OUTCOMES ARE MEASURED

“The method by which pupil progress in meeting those pupil outcomes is to be measured.” Ed. Code § 47605 (b)(5)(C)

Approach to Assessments and Data

SCALE Leadership Academy’s mission is to prepare students with the academic skills, character traits, and intellectual discipline necessary to excel in high school, college, and beyond. This includes providing “at-risk” middle school students with a college-preparatory instructional program that equips them for success in high school Honors and Advanced Placement courses. While we recognize that such growth is achieved in gradual, incremental steps, SCALE Leadership Academy will regularly assess the effectiveness of our programs using a variety of assessment tools. These frequent and systematic assessments will provide the School Director and teachers with valuable data that will allow us to critique our academic program, adapt instructional approaches, and establish new goals to best serve our student population.

State-Wide Assessment

SCALE Leadership Academy will administer tests required by California’s Standardized Testing and Reporting (STAR) program in each year and subject as required by the state in Education Code § 60602.5. These tests will demonstrate students’ mastery of grade-level content standards in each tested content area. A testing coordinator will be appointed each year to manage the assessment process.

Figure 24. Tests Required as Part of the Star Program

Program Component	Type of Assessment	Purpose	Grades Tested
California Standards Test	<ul style="list-style-type: none"> Standards-Based Multiple-Choice (includes written component in grade 7) 	Measure proficiency with state content standards in English-Language Arts	6 to 8
		Measure proficiency with state content standards in Mathematics	6 to 8
		Measure proficiency with state content standards in Science	6 to 8
		Measure proficiency with state content standards in Social Science	8

The most heavily weighted as well as most thorough of the tests in the STAR program, the California Standards Tests (CSTs), are criterion-referenced assessments that will allow us to determine if proficiency goals, described as Accountability Goals in Element Two, have been met and allow us to make instructional changes for the upcoming year as needed. SCALE Leadership Academy will use the CELDT test to measure the proficiency of English Language Learners in order to provide appropriate language learning support and re-classify students.

California Standards Tests (CSTs), are criterion-referenced assessments that will allow us to determine if proficiency goals, described as Accountability Goals in Element Two, have been met and allow us to make instructional changes for the upcoming year as needed. SCALE Leadership Academy will use the CELDT test to measure the proficiency of English Language Learners in order to provide appropriate language learning support and re-classify students.

Figure 25. Statewide Assessments

Test	Format	Purpose	Grades offered
California Language Development Test	Standards-Based Test Multiple Choice Performance Assessment	Measures proficiency of English Language Learners and reclassify student as appropriate	Based on student's previous ELD level and repeated annually until student is reclassified
California Achievement Tests-Sixth Edition (CAT-6)	Norm-Referenced Multiple Choice	Measures achievement of general academic knowledge in reading, language, math, and spelling compared to national norms	7
California Modified Assessment	Standards-Based Test Multiple Choice	Measures achievement in ELA, math, and science	Determined by IEP, available grades 6-8
Standards-Based Test in Spanish Aprenda	Standards-Based Test Multiple Choice Norm-Referenced Multiple Choice	Measures proficiency in ELA and math, administered to students whose primary language is Spanish and who have been enrolled in a U.S. school for less than 12 months.	6-7 8
Physical Fitness Testing (PFT) Fitnessgram	Criterion-referenced Performance assessment	Measures physical fitness based on seven key elements	7

Testing

If the charter school does not test (i.e., STAR, CELDT,) with the **County Superintendent**, SCALE Leadership Academy hereby grants authority to the state of California to provide a copy of all test results directly to the **County Superintendent** as well as the charter school.

Accountability Progress Reporting

The State and **County Superintendent** will also measure our success using the Accountability Progress Reporting (APR) system outlined below:

Figure 26. Additional State Measures

State Measures	Description
Academic Progress Index (API) Score	API is a State accountability measure required under the Public Schools Accountability Act. API is reported as a single number between 200 and 1000 that indicates how well a school performed academically in the previous year.
API State Ranking	API is also reported as a decile rank score between 1 and 10. This score is reported as two numbers – an overall statewide rank and a rank against similar schools.
Adequate Yearly Progress	AYP is a requirement under the Federal No Child Left Behind (NCLB) legislation. Under NCLB criteria, schools must meet or exceed annual criteria for improvement. AYP targets include particular emphasis on the performance of subgroups of students, based on criteria such as race/ethnicity, ELL level, socioeconomic disadvantage, and special needs.

Additional Methods of Assessment

We believe in the value of standardized test data and also recognize that no single assessment provides a comprehensive picture of student progress. As a result, SCALE Leadership Academy will use a combination of assessments to gather valuable data about our students' strengths and weaknesses and allow us to make informed instructional decisions. The School Director will create interim benchmark tests for the first year. The process will include a thorough understanding of grade-level standards and the school's scope and sequence, an intense look at California's released test questions and other relevant assessments, and will use the California Department of Education's blueprints as models for each benchmark test. In Years two and beyond the Principal and experienced teachers will be included in the creation and revision of interim assessments. Teachers will receive professional development and on-going feedback to improve quality of their informal and formal assessments and push them to consistently analyze and use data in ways that drive student achievement. Additional assessments to be used at SCALE Leadership Academy are as follows:

Figure 27. Other Assessments

Assessment	Content Area	Purpose(s)/Use(s) of Data	Timeline
Nationally Norm-Referenced Tests			
Stanford 10	<ul style="list-style-type: none"> • Reading: comprehension and vocabulary • Language arts • Math 	<ul style="list-style-type: none"> • measure longitudinal growth for cohorts of students over multiple years • compare growth to national norms 	at the conclusion of each school year, grades 6-8 •for all students new to the school during summer orientation
In-House Diagnostic and Interim Assessments			
Internally-created assessments designed using standards-based test generating software, like EduSoft	<ul style="list-style-type: none"> • ELA • Math • Science • History/Social Science 	<ul style="list-style-type: none"> • gather baseline achievement data on state standards in core content areas • measure progress in core content areas between annual standardized tests • resulting data will allow us to revise the way that standards are taught, assessed, and re-taught throughout the year 	<ul style="list-style-type: none"> • Start of school year for ELA and math • Every six to twelve weeks thereafter for all content areas, grades 4-8
Published Assessment Tools			
Textbook publisher-created quizzes, chapter and unit tests	<ul style="list-style-type: none"> • Math • Science • History • Social Science 	<ul style="list-style-type: none"> • measure student mastery of standards learned • resulting data will be used to target skills and students for small group instruction 	Varies
Timed math drills (increasing in difficulty for grades four through algebra)	<ul style="list-style-type: none"> • Math 	<ul style="list-style-type: none"> • Determines an annual baseline for mastery of grade-level appropriate math facts/mental calculations • monitor growth over the year • data will be used to group 	Weekly until students consistently demonstrate mastery of all time-tested skills
Accelerated Reader	Independent reading	<ul style="list-style-type: none"> • monitors comprehension of books read independently • tracks the level and quantity of books read • data is used to measure students effort and growth over time 	Varies, based on book
Teacher-Created Assessments			
Do Now	All	<ul style="list-style-type: none"> • used to check for understanding on a daily basis • used to make immediate instructional adjustments in order to remediate any deficits prior to more formal assessments 	Daily
Homework			
Class Participation			
Vocabulary tests	All	<ul style="list-style-type: none"> • used to track student mastery of grade-level standards • used to group students for targeted small group instruction • based on multiple standards; cumulative, and grants an extended opportunity for students for master unmet standards 	At least quarterly
Standards-based quizzes and tests (including chapter and/or unit tests)	All		At least every two weeks
Cumulative midterm and final exams	All		At least every two weeks
Projects/major writing assignments	All		Two times per semester

Data Analysis and Data-Driven Instruction

State assessment data will be collected using Power School or, if chosen to be part of the California Charter School Association data project, using Zoom! Data Source. The School Director, Principal, and teachers will use state test data to analyze areas of strength and weakness and to set priorities for each school year. Diagnostic assessments will be administered at the start of each year to determine a baseline for students in English-Language Arts and math. This data, along with daily classroom observation and other assessments, will provide valuable details about students' needs in each content area, and results will be used to help teachers plan lessons, effectively differentiate, and participate in academic support groups during Prep Plus.

Interim assessments will be created, scored and analyzed using EduSoft (or a similar software program). Teachers will meet with the School Director and/or Principal after each round of interim assessments to closely inspect the data, look for patterns, and create an action plan for both the class and individual students based on the results.

These action plans will identify:

- Skills/concepts to be re-taught to the entire class
- Skills/concepts to be re-taught to small groups during class
- Skills/concepts to be re-taught to individual students with one-on-one teacher instruction or with the assistance of a peer or volunteer tutor
- Students in need of intense remediation and therefore assigned to Prep Plus for the next marking period
- Adjustments to existing small groups for reading and math instruction
- Weaknesses in the curriculum to be revised for subsequent years
- Support and professional development for the teacher to strengthen areas of instructional weakness

Action plans will be revisited frequently in grade-level and content-area team meetings to ensure that students are making adequate progress toward mastery. At least one teacher professional development meeting each month will include the analysis of student assessment data.

Reporting of Data

SCALE Leadership Academy will create and make available to the public an annual report. The annual report will include demographic and achievement data of our students, financial reports, and a summary of significant accomplishments for the school. The annual report will be made available at our website, <http://www.SCALEacademy.org>, and delivered to the **San Bernardino County Office of Education**, and others who request a copy.

SCALE Leadership Academy will also create a School Accountability Report Card (SARC) for submission to the California Department of Education, including the following components:

- Demographic data
- School safety and climate for learning information
- Academic data
- School completion rates
- Class sizes
- Teacher and staff information
- Curriculum and instruction descriptions
- Postsecondary preparation information

- Fiscal and expenditure data
- Adequate yearly progress data

The SARC will be updated annually and also made available to the public through our website.

Communication of Data with Students and Families

Students and their families deserve to be consistently and proactively informed about student performance. SCALE Leadership Academy will involve students and their parents in the analysis of student work, noting progress, areas of strength, and plans to remediate any deficits.

After each round of interim assessments, teachers will share results with students during class and short individual conferences with each student. At these mini-conferences, teachers will work with each student to set goals for the upcoming assessment and personalize an individual action plan, including small group instruction, or tutoring as needed.

Teachers will also use interim assessment results to create and maintain mastery charts for each student that shows progress toward mastery for each content standard taught each year. These mastery charts will be shared with students after each round of assessments and reviewed with parents at each report card conference. Interim assessment results, chapter and unit tests, and midterm and final exams will be sent home for parents to review and sign.

State testing results will also be sent to families and SCALE Leadership Academy will host an annual parent meeting each summer to share the school's progress toward school-wide goals and also explain individual score reports to students and their families.

Grading Policy

Students at SLA will earn grades based on their demonstration of mastery of the California Content Standards. Grades will include student performance on in-class work, homework, assessments, and other components as applicable to each content area. Figure 11 indicates the ways in which letter, percentage, and rubric grades will be used at SCALE Leadership Academy and what these grades mean in terms of a student's level of mastery of the State Content Standards.

There will be school-wide standards for grading. Teachers will be trained on the school's policy and will work with the School Director and teacher teams to ensure that grades are calibrated and assigned in a fair and consistent manner that corresponds with student mastery of State Content Standards. Exceptions to this grading policy for students with special needs will be based on the student's IEP.

ELEMENT D – GOVERNANCE AND LEGAL ISSUES

"The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement." Ed. Code § 47605 (b)(5)(D)

The governance of SCALE Leadership Academy (or "School") is designed to meet the needs and interests of the **County Superintendent** as well as students, their families, and the Rialto

community.

Legal Affirmations

SCALE Leadership Academy will be non-sectarian in its programs, admissions policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any student on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

The School will comply with all applicable federal, state and local laws. It will retain its own legal counsel when necessary. It will purchase and maintain as necessary general liability, automotive liability, errors and omissions, property, workers compensation and unemployment insurance policies, either as part of the **County Board of Education's** insurance program or its own insurance program.

Non Profit Public Benefit Corporation

The School will be a directly funded independent charter school and will be operated as a California Nonprofit Public Benefit Corporation (incorporated under the name SCALE Leadership Academy) pursuant to California law upon approval of this charter.

The Charter School will operate autonomously from the **County Board of Education**, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the **County Superintendent** and the School. Pursuant to California Education Code Section 47604(c), the **County Board of Education** shall not be liable for the debts and obligations of the School, operated by a California nonprofit benefit corporation or for claims arising from the performance of acts, errors, or omissions by the School as long as the **County Superintendent** has complied with all oversight responsibilities required by law.

Attached, in **Attachments 3-5** please find the SCALE Leadership Academy Articles of Incorporation, Corporate Bylaws, and a Conflict of Interest Code.

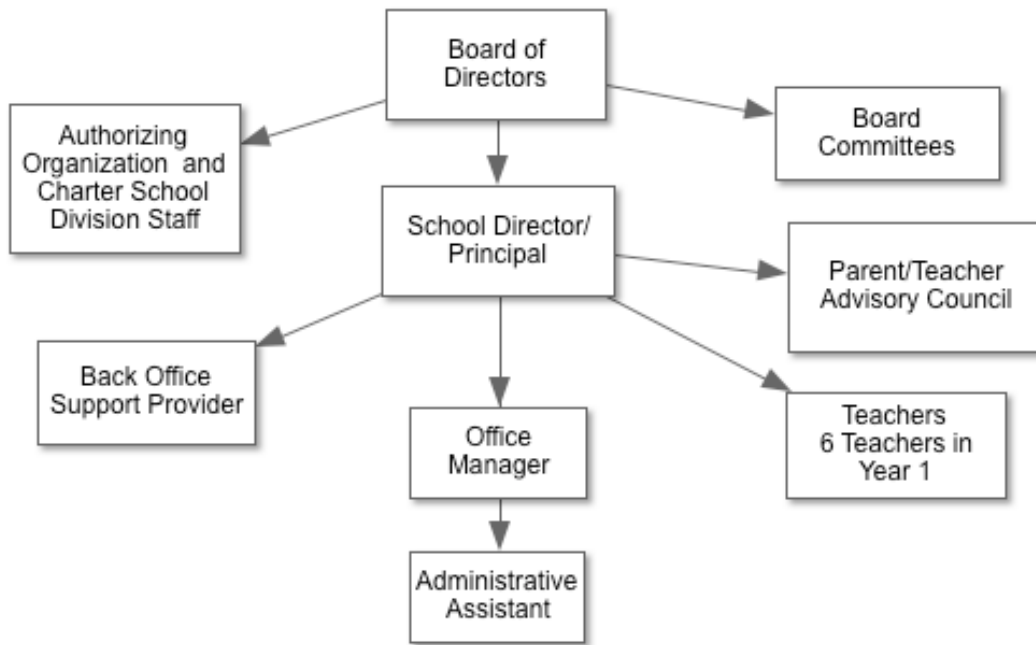
Organizational Structure

The governance, leadership and staffing structure of SCALE Leadership Academy is designed to ensure that the School meets its mission of providing a college preparatory education for each student we serve. The Board of Director plans to involve parents and use expert service providers to ground the school in the best practices of charter school management and oversight.

During the first year of operation, SCALE Leadership Academy will have a particularly lean administrative structure. While in part due to budget constraints, this structure will also allow founding staff to develop a strong working relationship, help to facilitate effective communication and effective implementation of the mission, and promote the development of School leadership potential from within. The structure will evolve over the first four years of operation as the School grows from serving 125 sixth grade students in Year 1 to serving nearly 360 sixth through eighth grade students Year 3. However, if there is significant demand for

7th grade in Year 1, The Charter reserves the right to open with grades 6 and 7 in Year 1 and expand to eight grade in the following year. Should this be the case, Scale will revise its budget accordingly.

Figure 28. Organizational Structure



Board of Directors

The School will be governed by its nonprofit Board of Directors (“Board” or “Board of Directors”) in accordance with its adopted corporate bylaws, which shall be consistent with the terms of this charter. Board members will support the mission of the School and serve voluntarily because they believe in the School’s goals.

The Board shall have at least five (5) and no more than eleven (11) directors. In accordance with Education Code Section 47604(b), the **County Board of Education** may appoint a representative to sit on the Board of Directors. All directors shall be designated by the existing Board of Directors, with the exception of the **County Board of Education**-appointed representative, should the **County Board of Education** choose to exercise this option.

Except for the initial Board of Directors, each director shall hold office unless otherwise removed from office in accordance with these bylaws for three (3) years and until a successor director has been appointed.

Terms for the initial Board of Directors shall be five (5) seats for a term of either two (2) or three (3) years. This will ensure that not all Board members’ terms expire at any given time, and will ensure healthy governance transitions. The staggering of the initial directors’ terms of service will be drawn by lot. The Board is as follows:

<u>NAME</u>	<u>AREAS OF EXPERTISE</u>
Alicia Jao	Education, Management

Dat X. Nghiem	Management, Research, Education
Michael Jules	Education, Counseling
Phillip M. Placenti	Higher Education, Management
Bobby D. Harris	Fundraising, Management

Each of the initial Board members is described in **Attachment 9** under the description of the Board of Directors.

The Board shall seek to nominate and appoint members with experience in one or more of the following areas: education, government, law, business, public finance/accounting, fundraising, facilities, philanthropy, or public relations. The Board will also seek candidates who understand and support the School's mission, culture, and goals. The qualifications sought in those candidates will include, but not be limited to, the following:

- A dedication to furthering the vision and mission of SCALE Leadership Academy;
- Willingness to volunteer for one or more Board committees and the ability to contribute appropriate time and energy necessary to follow through on assigned tasks;
- Ability to work within a team structure;
- Expectation that all children can and will realize high academic achievement; and,
- Specific knowledge, experience, and/or interest in at least one element of governance for SCALE Leadership Academy.

The Board of Directors shall be composed of disinterested persons and shall not include (a) any person compensated by the corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor; or (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person.

Board Meetings and Duties

The Board of Directors of the School will meet regularly, at least once a month (except during the summer) and in accordance with the Brown Act. The Board of Directors is fully responsible for the operation and fiscal affairs of the School including but not limited to the following:

- Hire, supervise, evaluate, discipline, and dismissal of the School Director;
- Approve all contractual agreements;
- Approve and monitor the implementation of general policies of the School. This includes effective human resource policies for career growth and compensation of the staff;
- Approve and monitor the School's annual budget and budget revisions;
- Act as a fiscal agent. This includes but is not limited to the receipt of funds for the operation of the School in accordance with applicable laws and the receipt of grants and donations consistent with the mission of the School;
- Contract with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices;
- Establish operational committees as needed;
- Regularly measure progress of both student and staff performance;
- Involve parents and the community in School related programs;
- Execute all applicable responsibilities provided for in the California Corporations Code;
- Engage in ongoing strategic planning;

- Approve the school calendar and schedule of Board meetings;
- Participate in the dispute resolution procedure and complaint procedures when necessary;
- Approve charter amendments as necessary and submit requests for material revisions as necessary to the **County Board of Education** for consideration;
- Approve annual independent fiscal audit and performance report;
- Appoint an administrative panel or act as a hearing body and take action on recommended student expulsions.

The Board may initiate and carry on any program or activity or may otherwise act in a manner which is not in conflict with or inconsistent with or preempted by any law and which are not in conflict with this charter or the purposes for which schools are established.

The School shall comply with the Brown Act.

The School has adopted a Conflict of Interest Code which complies with the Political Reform Act, Corporations Code Conflicts of Interest rules, and Government Code Section 1090 which shall be updated with any charter school specific conflicts of interest laws or regulations⁵². The Conflict of Interest Code is attached within **Attachment 5**. As required by the Political Reform Act, the Conflict of Interest Code will be submitted to the County Board of Supervisors for approval and all public officials of the School will annually file Statements of Economic Interest (Form 700).

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee of the School any of those duties with the exception of budget approval or revision, approval of the fiscal audit and performance report, and the adoption of Board policies. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated. In accordance with the Corporations Code, such delegation will:

- Be in writing;
- Specify the entity designated;
- Describe in specific terms the authority of the Board of Directors being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation; and
- Require an affirmative vote of a majority of Board members.

The Board of Directors will attend an annual in-service for the purposes of training individual board members on their responsibilities with topics to include at minimum Conflicts of Interest, and the Brown Act.

School Director

The School Director will be the leader of the School. The School Director will ensure that the curriculum is implemented in order to maximize student-learning experiences. The School Director must report directly to the Board of Directors and s/he is responsible for the orderly operation of the School and the supervision of all employees in the School.

⁵² The Charter School has agreed to comply with Government Code Section 1090 subject to any clear legal authority indicating that this section of the law is inapplicable to charter schools.

The School Director is assigned to perform assigned tasks directed from the Board of Directors and is required to undertake some or all of the tasks detailed below. These tasks may include, but are not limited to, the following:

- Ensure the School enacts its mission;
- Supervise and evaluate teachers and staff;
- Communicate and report to the Board of Directors;
- Oversee School finances to ensure financial stability;
- Participate in and develop professional development workshops as needed;
- Serve or appoint a designee to serve on any committees of the School;
- Interview and recommend employee hiring, promotion, discipline, and/or dismissal;
- Ensure compliance with all applicable state and federal laws and help secure local grants;
- Communicate with parents, recruit new families and students, and assure families of academic growth;
- Take responsible steps to secure full and regular attendance at School of the students enrolled in accordance with policies established by the Board of Directors;
- Complete and submit required documents as requested or required by the charter and/or Board of Directors and/or the **County Board of Education**;
- Identify the staffing needs of the School and offer staff development as needed;
- Maintain up-to-date financial records;
- Ensure that appropriate evaluation techniques are used for both students and staff;
- Establish and maintain a system to handle organizational tasks such as student records, teacher records, teacher credentialing information, contemporaneous attendance logs, purchasing, budgets, and timetables;
- Hire qualified substitute teachers as needed;
- Ensure the security of the School building;
- Promote and publish the Charter Program in the community and promote positive public relations and interact effectively with media;
- Encourage and support teacher professional development ;
- Attend **County Superintendent** Administrative meetings as requested by the **County Superintendent** and stay in direct contact with the **County Superintendent** regarding changes, progress, etc.;
- Attend meetings with the Chief Financial Officer of the **County Superintendent** on fiscal oversight issues as requested by the **County Superintendent**;
- Provide all necessary financial reports as required for proper attendance reporting;
- Develop the School annual performance report and the SARC;
- Present independent fiscal audit to the School's Board of Directors and after review by the Board of Directors present audit to the **County Board of Education** and the **County**

Superintendent of Schools, the State Controller and the California Department of Education;

- Manage student discipline, as necessary participate in the suspension and expulsion process;
- Participate in IEP meetings as necessary.

The above duties, with the exception of personnel matters, may be delegated or contracted as approved by the Board of Directors to a business administrator of the School or other appropriate employee or third party provider.

Parent Participation

As Scale Leadership Academy is being established to serve the needs of the students and their families, there are a number of ways that parents may participate in the leadership of the school. Scale Leadership Academy will establish a Parent/Teacher Council ("PTC") to facilitate communication among parents, teachers and the Board as well as to promote cultural and social activities within the school community.

The PTC will:

- Serve as a forum for the discussion of matters of interest and concern to the parents of Scale Leadership Academy students;
- Act as a communication channel between the parents and other interested individuals and groups, both within and outside the school community;
- Coordinate and sponsor committees, clubs and other activities that enhance the intrinsic value of Scale Leadership Academy and contribute to the fulfillment of its mission. These committees will work with various bodies within Scale Leadership Academy, providing support activities as appropriate;
- Coordinate PTC fundraising activities and oversee the allocation and disbursement of funds raised by the PTC;
- Report as needed to the Scale Leadership Academy Board of Directors at its regular meetings and provide ongoing advice to the Board as requested by the Board or deemed necessary by the PTC.

Additional Opportunities for Parent Involvement

- Parents, students and teachers meet regularly to plan and assess the student's learning progress and determine goals;
- School and staff evaluations - parents fill out a survey each year evaluating the strengths and weaknesses they identify with the program to be reviewed by staff and faculty for consideration of ongoing improvement of Scale Leadership Academy;
- Volunteer opportunities – the Director/Principal will maintain a list of various opportunities for parents to volunteer at Scale Leadership Academy. For example, parents have the opportunity to help in classrooms, lead extracurricular activities, assist in event planning, attend field trips and serve on parent committees;
- Fundraising - parents and community members work with Scale Leadership Academy to raise additional resources to support students and the school program;
- Advocacy - parents and community members communicate the school design and

outcomes to the public, educators and policy makers and advocate for necessary policies and resources

Liability and Indemnity

The SCALE Leadership Academy Board of Directors, the School administrative staff, and their respective representatives will be solely responsible for all aspects of the day-to-day operations of SCALE Leadership Academy, including, but not limited to, making necessary provisions for accounting, budgeting, payroll, purchasing, liability insurance, and the like.

SCALE Leadership Academy will hold harmless and indemnify the **County Board of Education** from every liability, claim, or demand that may be made by reason of:

- Any injury to person or property sustained by SCALE Leadership Academy employees, or by any person, firm, or corporation employed directly or indirectly by SCALE Leadership Academy.
- Any injury to person or property sustained by any person, firm, or corporation caused by an act, neglect, default, or omission of SCALE Leadership Academy, its officers, employees, or agents.
- The furnishings or use of any copyrighted or un-copyrighted composition, or patented or unpatented invention.

In accordance with its corporate bylaws, SCALE Leadership Academy, at its own expense and risk, will defend all legal proceedings on any such liability, claim, or demand that may be brought against SCALE Leadership Academy and/or the Board of Directors or the School's officers and employees. In addition, SCALE Leadership Academy will satisfy any resulting judgments that may be rendered as the result of any such liability, claim, or demand, whether or not such liability, claim, or demand was actually or allegedly caused wholly or in part through the negligence or other tortuous conduct of SCALE Leadership Academy, the Board of Directors or their officers and employees.

SCALE Leadership Academy is an incorporated public entity. SCALE Leadership Academy has complete liability for all actions of the School and its employees in the performance of their duties. SCALE Leadership Academy will further indemnify and hold harmless the **County Board of Education** and the California Department of Education of any present or future liability for the School's actions.

In order to mitigate both the potential legal and fiscal liabilities of the School, SCALE Leadership Academy will have in force at all times prepaid liability insurance. The County's Board of Trustees will be named as "other named insured." Supplementary coverage will cover the after-hours and weekend activities at the School and its programs.

At minimum, coverage will include:

- Workers' compensation with limits of \$1,000,000 per accident as required by the Labor Code of the State of California and Employers' Liability.
- Comprehensive Bodily Injury and Property Damage Liability for the combined single limit coverage of not less than \$5,000,000 per single occurrence. The **County Board**⁸⁵

of Education will be named as the “other named insurers.” The policy will also provide specifically that any insurance carried by the **County Board of Education**, which may be applicable to any claims or loss, will be deemed excess, and SCALE Leadership Academy’s insurance primary, despite any conflicting provisions in the charter school’s policy. Coverage will be maintained with no self-insured retention.

- Commercial Crime including Fidelity Bond coverage for blanket employee theft, disappearance, destruction, and dishonesty in the amount of at least \$50,000 per occurrence, with no self-insured retention. The **County Board of Education** will be furnished with certificates of insurance signed by an authorized representative of the insurance carriers. The **County Board of Education** has the right to require complete certified copies of the required insurance policies. Certificates will be endorsed to say: “The insurance afforded by the this policy will not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the Rialto Unified School **County Board of Education**.”

ELEMENT E – EMPLOYEE QUALIFICATIONS

“The qualifications to be met by individuals to be employed by the school.” (Ed. Code § 47605 (b)(5)(E)).

SCALE Leadership Academy will employ a group of professionals passionate about educating all students and dedicated to fulfilling our college preparatory mission. Education research consistently demonstrates that teacher quality has the most significant impact on student achievement. As a result, it will be a top priority to recruit, select, hire, train, support, and retain the best teachers, administrators, and support staff available.

Equal Opportunity Employer

SCALE Leadership Academy will not discriminate against any potential or current employee based on the basis of ethnicity, national origin, gender, sexual orientation, gender identity, gender expression, religion, race, disability, or any other protected classification, in accordance with applicable law. The charter school will comply with all requirements for employment set for in applicable provisions of law.

No Child Left Behind

SCALE Leadership Academy agrees to comply with the provisions of the No Child Left Behind Act as they apply to highly-qualified certificated personnel and paraprofessional employees of charter schools.

Credentials

Teachers of core content areas at SCALE Leadership Academy (English Language Arts, Math, Science, and Social Studies) will be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. The charter school will conform to the legal requirement that all charter school teachers shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold.

Employee Records

SCALE Leadership Academy will comply with all State and Federal laws concerning the maintenance and disclosure of employee records. Copies of each teacher’s credentials will be kept on file in the main office and will be readily available for inspection. School administration will review teacher credentials annually.

Background Checks

SCALE Leadership Academy will comply with California Education Code 44237 and 45125.1 regarding the requirement to fingerprint and obtain background clearance of employees. Prior⁸⁷

to the first day of work with students, SCALE Leadership Academy will process all background checks through LiveScan, administered by the United States Department of Justice. In addition, all employees must provide:

- Up-to-date medical clearance of communicable disease and a negative
- Tuberculosis (TB) test
- A full disclosure statement regarding a prior criminal record
- Documents establishing legal employment status
- Contact information for at least two (2) professional and one (1) personal reference

Employee Welfare and Safety

SCALE Leadership Academy will comply with all Local, State, Federal, and relevant District policies concerning employee welfare, health, and safety issues. These include, but are not limited to, the requirement for a drug- and tobacco-free workplace.

Terms and Conditions of Employment

All employees of SCALE Leadership Academy will be at-will employees. The terms and conditions for employment at SCALE Leadership Academy will be reviewed in detail during the interview process and reiterated in an offer of employment.

Staff Selection

SCALE Leadership Academy will utilize a strenuous screening process to ensure selection of the highest quality staff. The Board of SCALE Leadership Academy will hire the school's School Director. All other staffing decisions will be made by the School Director.

Our selection process will typically include:

1. Development of job qualifications and a thorough job description
2. Posting of job openings and participation in career fairs
3. Request of a resume, cover letter, and short essay response
4. Short introductory interview (in-person or by phone)
5. Sample teaching lesson followed by debrief
6. Extensive interview with multiple members of the school's existing staff
7. Verification of credential and previous employment, State and Federal background checks, and professional and personal reference checks of strong candidates
8. Offers of employment to the strongest candidates

The selection procedures shall not discriminate on the basis of race, sex, religion, color, national origin, ancestry, physical or mental disability, medical condition, status as Vietnam-era veteran or special disabled veteran, marital status, age (40 and above), sexual orientation or any other basis protected by federal, state, or local law or ordinance or regulation

General Qualifications

All faculty and staff must possess a firm belief in our mission and core instructional beliefs, exemplary personal character, and critical professional qualifications. Ideal candidates for employment at SCALE Leadership Academy, regardless of their position, will consistently demonstrate the following:

- Unwavering belief in and commitment to fulfill SCALE Leadership Academy’s mission
- Ability to prioritize and manage multiple tasks
- Ability to effectively handle challenging situations with students, parents, and faculty
- Desire to work as a member of a collaborative team
- Willingness to have frequent and honest dialogue about job performance
- Modeling lifelong learning by engaging in individual professional development
- Demonstrated commitment to academic excellence and high standards—for themselves, their students, and their colleagues
- Experience working with urban student populations
- Strong oral and written communication skills
- Use of data to inform decisions and drive continuous improvement
- Comfort with basic Microsoft Office applications
- Regular, punctual attendance and professional appearance
- Appropriate California credentials and qualifications required by No Child Left Behind

Job Descriptions for Key Personnel

As noted in the organization, when fully grown, the staff of SCALE Leadership Academy will include the following key personnel:

- Director
- Principal
- Teachers
- Office Manager
- Administrative Assistant
- Instructional Aides

The following job descriptions outline the key positions at the school, including their qualifications and responsibilities. Job descriptions will be revised as necessary to reflect the needs of the school.

Director

Position Summary

The School Director of SCALE Leadership Academy will be directly accountable to the Board of Directors for the school's academic success, rigorous culture, mission advancement, financial stability, and organizational viability.

Reporting

The School Director will report directly to the SCALE Leadership Academy Board of Directors.

Job Expectations

The School Director's responsibilities are expansive. As the leader of SCALE Leadership Academy, the individual who assumes the School Director position must be prepared to successfully carry out many different tasks, including, but not limited to the following:

- Providing day-to-day leadership of the school, including all instructional, financial, and operational components
- Recruitment of students, including a random public lottery, when needed
- Recruitment, selection, hiring, evaluation, and firing of all staff
- Providing high quality professional development for teachers and support staff
- Developing and managing the school's leadership team (Principal, Office Manager, Administrative Assistant)
- Utilizing student assessment data to maximize student achievement
- Building and maintaining a school culture based on preparation, respect, integrity, determination, and enthusiasm
- Implementing effective communication processes with all stakeholders
- Enforcing student discipline policies
- Creating structures for meaningful parental involvement
- Overseeing the annual budget and monthly cash flow, and ensuring sound financial conditions
- Overseeing acquisition and maintenance of the school site
- Ensuring the physical and emotional safety of all students and employees
- Developing internal and external goals, evaluating school performance on multiple measures, and adjusting program elements accordingly
- Managing relationships and overseeing the work of contracted service providers
- Preparing and presenting thorough and accurate monthly reports to the Board
- Working closely with the Chair of the Board and Board Committees to ensure the school's success

Advocating on the school's behalf and serving as the school's primary spokesperson to all external audiences, including investors, media, community partners, local leaders, elected officials, and the **County Board of Education** and the **County Superintendent** ensuring the school follows all applicable **County Board of Education** policies and State and Federal laws

Specialized Qualifications

In addition to the general expectations of all school employees, the School Director should possess:

- At least three years teaching experience and two years leadership experience, ideally in urban and/or charter schools
- Demonstrated classroom success
- Demonstrated experience managing leading adults toward increased student achievement

- Knowledge of applicable education laws and regulatory compliance
- Knowledge of school finance, budgetary planning, and accounting principles
- Proven understanding of statistical data and analysis, particularly with student achievement data
- Masters Degree in Education or related field
- Administrative credential or comparable school leadership training

Principal

Position Summary

The Principal will work with the School Director to implement the mission of SCALE Leadership Academy.

Reporting

The Principal will report to the School Director.

Job Expectations

The Principal's primary duties include:

- Support the teachers with achieving school goals.
- Assisting in the development of structures and systems to create a safe, orderly, disciplined
- School culture and maintain consistency within the school
- Develop school-wide celebrations and recognition of student success
- Observing and providing feedback to teachers
- Analyzing and creating plans based on student achievement and behavioral data
- Coordinating with special education service providers
- Overseeing program, including the recruitment,
- selection, training, and on-going support of volunteers
- Providing supervision before- and after-school, as well as lunch and recess
- Leading community meetings and other school-wide events
- Communicating regularly with parents and creating meaningful parent events
- Coordinating end-of-year field trips and other excursions throughout the year
- Serving as liaison to the Parent's Organization
- Overseeing high school placement for graduating eighth graders
- Completing other tasks as directed by the School Director

Specialized Qualifications

In addition to the general expectations of all school employees, the Principal should possess:

- At least three years successful teaching experience, ideally with urban youth, as evidenced by
- strong achievement data and strong classroom relationships
- Proven ability to lead adults
- Ambition and desire to grow as a school leader
- Effective communication with parents, especially conflict resolution
- Strong knowledge of fourth through eighth grade content standards and curricular materials
- Working knowledge of special education law, documentation, and best practices (preferred but not required)

Teachers

Position Summary

Teachers at SCALE Leadership Academy perform the most critical work of our school—the daily instruction, evaluation, and support of our students.

Reporting

Teachers will report to the Principal and School Director.

Job Expectations

A teacher at SCALE Leadership Academy’s primary duties include:

- Teaching at least four classes daily
- Providing supervision before- and after-school and at lunch and/or recess as assigned in order to maintain student safety
- Planning and delivering thorough, challenging, standards-based lesson that ensure all students master required content
- Assessing students daily through informal measures and at least one formal test or quiz each week
- Creating comprehensive chapter and/or unit tests, as well as cumulative final exams
- Reinforcing school-wide rules and expectations in classrooms and elsewhere on campus
- Reflecting continually in order to ensure a culture of high academic and behavioral standards
- Communicating effectively with students, parents, and colleagues
- Using detailed data analysis of student performance to inform best practices
- Differentiating in the classroom and working with students during Enrichments to ensure that all students excel
- Identifying students who are academically at risk and initiating effective intervention strategies
- Completing other tasks as directed by the School Director

Specialized Qualifications

In addition to the general expectations of all school employees, the teachers should possess:

- Bachelor’s degree (advanced degree preferred)
- Appropriate California teaching credential
- Fulfillment of all criteria set forth to be considered Highly Qualified under NCLB
- Successful manager of an urban classroom who has used structure and high expectations to drive student success
- Experience as a classroom teacher with demonstrated quantifiable and objective student performance gains that surpass state or local averages
- Ability to work with a variety of learning abilities, including those with special needs and low skill level in a heterogeneously grouped classroom setting
- Demonstrated ability to work well in a team, especially with parents and community
- Members

Office Manager

Position Summary

The Office Manager of SCALE Leadership Academy will ensure the efficient operation of the school's main office and work with members of the administrative team to ensure the success of the school.

Reporting

The Office Manager will report to the School Director.

Job Expectations

The Office Manager's primary duties include:

- Monitoring the school's entryway, greeting parents and visitors to the school and maintaining school safety
- Performing clerical duties, including data entry, mail correspondence, office supply inventory, and answering phones
- Contacting parents regarding absences, missing assignments, teacher concerns, or student illness
- Implementing systems to support the work of teachers and administrative staff
- Independently, or in accordance with administrative instructions, developing school communications in English and Spanish based on a thorough knowledge of school policies, regulations, and operational procedures
- Translating for parent meetings and school events
- Preparing and maintaining a variety of student, personnel, and school records
- Maintaining and operating a variety of office equipment, such as the copy machine, printers, fax machine, and scanners with speed and accuracy
- Overseeing parent volunteers and other school guests
- Assisting in the coordination of special events
- Assisting the School Director and members of the administrative team, as directed

Specialized Qualifications

In addition to the general expectations of all school employees, the Office Manager should possess:

- A minimum of an Associate's Degree or two years of college
- A minimum of two years experience in a similar position
- Demonstrated proficiency with letter and report writing, accurate mathematical calculations, word processing, record keeping, and data collection systems
- Exemplary communication skills in English and Spanish, including impeccable grammar and fluency
- Strong public relations skills with a variety of constituencies
- Ability to quickly and accurately perform clerical duties such as data entry, filing, maintaining systems, proofreading, and operating office equipment
- Experience in an educational setting preferred

Assistant Office Manager

Position Summary

To work collaboratively with all stakeholders to ensure the efficient daily operation of the school program

Reporting

Director/Principal or designee

Job Expectations

1. Perform all secretarial duties pertaining to the administrative functions of the school office as follows but not limited to:

- Maintains calendar of events, meetings, and other appointments for the principal or designee
 - Receives visitors to the building in a prompt and professional manner
 - Receives and initiates telephone communications in a professional, courteous manner, and delivers messages in an effective fashion to the appropriate party
 - Performs general typing and filing functions
 - Prepares and maintains files as directed
 - Prepares routine correspondence, announcements, bulletins, and other communications
 - Duplicates materials as necessary or directed
 - Receives, processes, and distributes materials, mailings, and other information and items
 - Maintains office supplies through inventory and requisitions supplies as needed
 - Has knowledge of office machines and equipment and operates such in a resourceful and efficient manner
 - Maintains data and provides accurate, up-to-date reports
 - Responds to emergency duty assignments when required
 - Participates in in-service and professional development training programs as directed
 - Provides assistance in planning, securing items, and follow through for special events and activities
 - Performs other job-related duties and responsibilities as assigned by the immediate supervisor
-
- A minimum of an Associate's Degree or two years of college
 - A minimum of two years experience in a similar position
 - Demonstrated proficiency with letter and report writing, accurate mathematical calculations, word processing, record keeping, and data collection systems
 - Exemplary communication skills in English and Spanish, including impeccable grammar and fluency
 - Strong public relations skills with a variety of constituencies
 - Ability to quickly and accurately perform clerical duties such as data entry, filing, maintaining systems, proofreading, and operating office equipment
 - Experience in an educational setting preferred

Instructional Aides

Position Summary

To assist the teacher by performing tasks which are assigned and directed by the teacher. The tasks must not infringe upon the responsibilities reserved for certified teachers. It is vital that both the teacher and aide fully understand the limitations as well as the tasks of the aide. If assigned as an instructional technology aide, individual will provide technological assistance in the computer laboratory or classroom setting.

Reporting

Principal and/or Classroom Teacher

Job Expectations

- Carries out the planned instruction under the guidance of the teacher as follows but not limited to:
- Works with individual students or small groups of students to reinforce learning of materials or skills initially introduced and outlined by instructional staff.
- Assists instructional staff in devising strategies to reinforce learning based on a sympathetic understanding of individual students, their needs, interest, and abilities.
- Monitors work, corrects papers, and supervises curriculum-based testing and makeup work as assigned by the instructional staff.
- Informs the instructional staff of any educational information pertinent to individual students.
- Performs clerical, classroom maintenance, and instructional duties as assigned by the instructional staff as follows, but not limited to:
- Collaborates with all stakeholders to insure a free appropriate public education for all students in their least restrictive environment.
- Assists as directed by instructional staff in the effort to successfully maintain students with special needs in an inclusive setting as determined by the Individualized Educational Program.
- When requested, serves as a resource person to the General Education classroom.
- Provides students with assistive or supportive technology as needed.
- Performs other such duties/assignments as directed by the principal or classroom teacher.

Specialized Qualifications:

- Hold a high school diploma or GED certificate and
- A minimum of an Associate's Degree or two years of college

Staff Compensation and Benefits

The School Director of SCALE Leadership Academy, in consultation with the Board of Directors, will develop a salary schedule for the school. This salary schedule will be based on, but not limited to, the salary schedule of the Rialto Unified School District, the salaries of leading private and charter schools in Rialto and surrounding communities, and best practices in salary schedules among national charter schools. Administrative and staff salaries will be set at the discretion of the School Director, based on the candidate's experience and responsibilities. The salary of the School Director will be set by the Board of Directors. A comprehensive benefits package (medical, dental, and retirement) will be included as part of each full-time employee's compensation.

Teacher Recruitment

SCALE Leadership Academy will recruit qualified teachers who will successfully implement the school's mission. Teacher recruitment will begin upon authorization, with job listings posted on a variety of teacher recruiting sites, including the California Charter School Association, Teach For America, Ed-Join, and the Association for Supervision and Curriculum Development. In order to increase our applicant pool, we may contract the services of Teach California Charters and the RISE Network and participate in job fairs at local universities, including the University of Riverside, Cal Poly Pomona, Claremont Graduate University, University of La Verne, University of California Los Angeles, and the University of Southern California. Teacher application and selection will be an intense process, designed to gain a deep understanding of the candidate's beliefs, competencies, and potential to work with others to create dramatic student gains.

The process includes:

1. Resume and cover letter screening
2. Initial phone interview with the School Director or Assistant
3. In-person interview with School Director and/or Principal
4. School visit, including tour and classroom observation (not applicable for 2011-2012 school year)
5. Sample lesson (either at SCALE Leadership Academy or the candidate's school)
6. Group interview with school administration and members of the teacher team
7. Reference and credential checks
8. Offer letter

Staff Evaluation

The Board of SCALE Leadership Academy will conduct an annual performance review of the School Director. The School Director will be responsible for completing all other staff evaluations, based on an evaluation process that includes multiple measure of performance, including annual formal observations, monthly informal observations, staff self-reflection, and student achievement data.

ELEMENT F – HEALTH AND SAFETY

“The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in §44237.” (Ed. Code §47605 9(b)(5)(F)).

Legal Assurances

The health and safety of SCALE Leadership Academy students and staff is a high priority for the school. We will comply with all health and safety regulations that apply to non-charter public schools, including those required by CAL/OSHA, the California Health and Safety Code, and the Environmental Protection Agency. SCALE Leadership Academy will operate as a drug-, alcohol-, and tobacco-free workplace.

School Safety Plan

In accordance with risk management best practices, the school will develop a comprehensive safety plan and revise the plan as needed based on an annual review. School staff will be trained each year on safety policies and procedures.

A draft of the complete safety plan will be submitted to the **County Superintendent** at least 30 days prior to operation and a copy of the most recent edition will be available in the main office.

The following is a summary of the health, safety, and risk management policies of SCALE Leadership Academy:

1. Staff Responsibilities

All employees are responsible for their own safety, as well as that of others in the workplace. SCALE Leadership Academy will rely upon its employees to ensure that work areas are kept safe and free of hazardous conditions. Employees will report any unsafe conditions or potential hazards to their supervisor immediately. If an employee suspects a concealed danger is present on SCALE Leadership Academy’s premises, or in a product, facility, piece of equipment, process, or business practice for which the school is responsible, the employee will bring it to the attention of the School Director or another member of the administrative team immediately. The school’s administration will arrange for the correction of any unsafe condition or concealed danger immediately and will contact the School Director regarding the problem.

Periodically, SCALE Leadership Academy may issue rules and guidelines governing workplace safety and health. All employees will familiarize themselves with the rules and guidelines, as strict compliance will be expected. Failure to comply with rules and guidelines regarding health and safety or work performance will not be tolerated.

All employees will be required to maintain current First Aid and CPR certification.

Annual trainings will be provided on site by the American Red Cross or other authorizing agency. Employees will be encouraged to report any workplace injury or accident to their supervisor as soon as possible, regardless of the severity of the injury or accident. If medical

attention is required immediately, supervisors will assist employees in obtaining medical care, after which the details of the injury or accident must be reported.

2. Criminal Background Checks

Employees and contracted service providers of SCALE Leadership Academy will be required to submit to a criminal background check and finish a criminal record summary as required by Ed. Code 44237 and 45125.1. New employees must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The School Director of the school shall monitor compliance with this policy and report to the Board of Directors on an annual basis. The SCALE Leadership Academy Board Chair shall monitor the fingerprinting and background clearance of the School Director. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

3. Child Abuse Reporting

SCALE Leadership Academy will adhere to the requirements of California Penal Code Section 11164 and 11166 regarding child abuse reporting. All employees must report to the proper authorities if they suspect that a student is subject to the following:

- Sexual assault
- Neglect
- Willful cruelty or unjustifiable punishment
- Cruel or inhuman corporal punishment or injury
- Abuse in out-of-home care

The reporting person need only be "reasonably suspect" that abuse or neglect has occurred; the reporting person does not have to prove abuse. The School Director will work with all faculty and staff members to make sure all appropriate steps are taken if a child abuse situation occurs. All faculty and staff will understand that it is their duty and responsibility to report any suspicions of child abuse. Staff will understand that under California law, anyone who fails to report an incident of known or reasonably suspected child abuse or neglect is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both. Staff will not be made to investigate any incident, only report to the School Director and proper authorities.

SCALE Leadership Academy staff will complete a written report of the situation and immediately notify the Department of Children Services. If necessary, the Rialto Police Department will be informed of the situation as well. The reporting person will be responsible for providing all the necessary information and child abuse reports to the Department of Children Services and/or Rialto Police Department since he/she will be most knowledgeable of the situation. Should it be necessary to remove the child from school, SCALE Leadership Academy staff will obtain the contact information of the agency person removing the child. This information will be placed in the student's record and made available to the parents.

4. Medication

SCALE Leadership Academy will adhere to Education Code Section 49423 regarding administration of medication in school. Students requiring prescription medications and other medicines during school hours will be accommodated. Parents must bring medication to the office in the original containers, with the name of the prescribing physician, the name of the

student, and dispensing instructions. Parents will complete the appropriate form authorizing school staff to administer medication. Designated staff will put medications in a locked cabinet or refrigerator as needed. Designated staff will log times for administering medications for each student and will establish a reminder system to ensure that students are called and medications are dispensed at the appropriate times. In cases where medications are long-term prescriptions, designated staff will provide parents with one week's notice to alert them that additional medications are needed.

5. TB testing

All employees of SCALE Leadership Academy will be tested for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.

6. Medical and Immunization Records

All students enrolled at SCALE Leadership Academy will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster. Students medical records will be kept on file at the school and made available to school staff as necessary to protect student safety and confidentiality.

7. Vision, Hearing, and Scoliosis Screenings

SCALE Leadership Academy will adhere to Education Code Section 49450, et seq., as applicable to the grade levels served by the school. Students will be screened for vision, hearing and scoliosis to the same extent as students attending non-charter public schools.

8. Blood Borne Pathogens

SCALE Leadership Academy shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. The SCALE Leadership Academy Board will establish a written infectious disease control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus ("HIV") and hepatitis B virus ("HBV"). Whenever exposed to blood or other bodily fluids through injury or accident, staff and students will follow the latest medical protocol for disinfecting procedures.

9. Harassment

SCALE Leadership Academy is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. We will develop a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at SCALE Leadership Academy (including employee to employee, employee to student, and student to employee misconduct). Inappropriate behavior of this nature is very serious and will be addressed in a harassment policy that will be developed.

10. Emergency Preparedness

SCALE Leadership Academy will create and adhere to an Emergency Preparedness Plan drafted specifically to the needs of the school site in conjunction with law enforcement and the Fire Marshall. This handbook shall include detailed responses for the following:

- Fire—Fire drills will be held at least once every two months. Office personnel will maintain a record of fire drills held and total required time for complete evacuation.
- Disaster/Earthquake—Disaster/earthquake drills will be conducted at least once a year.
- Bomb/Terrorist Threats
- Evacuation Plans

11. Diabetes

The Charter School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following:

1. A description of type 2 diabetes.
2. A description of the risk factors and warning signs associated with type 2 diabetes.
3. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
4. A description of treatments and prevention of methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

Facility

While the school's facility has yet to be secured, SCALE Leadership Academy ensures that the site and any modifications will comply with all state and local building codes, the Federal Americans with Disabilities Act (ADA) requirements, and other applicable fire, health, and structural safety requirements. The school will maintain readily accessible records documenting such compliance on file at the main office.

The site will secure a Certificate of Occupancy issued by the applicable permitting agency at least 45 days prior to the opening of the school. We will comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the State Building Code.

Further, we will test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. If RUSD facilities are used during the term of this charter, SCALE Leadership Academy shall abide by all RUSD policies relating to Maintenance and Operations Services.

Asbestos

SCALE Leadership Academy will comply with the Asbestos Hazard Emergency Response Act (AHERA, 40 CFR Part 763, Subpart E). Charter schools using non-District facilities will be required to comply with inspections mandated by AHERA utilizing independent consultants. AHERA requires that any building leased or acquired that is to be used as a school or

administrative building shall maintain an asbestos management plan. Although the **County Superintendent** is not required to perform the mandatory surveillance and inspections, the **County Superintendent** reserves the right to review all required documentation at any time to ensure the charter is complying with AHERA and its charter petition.

Auxiliary Services

Dependent on facility lease requirements, SCALE Leadership Academy will outsource maintenance/custodial duties, including major repairs, pest control, janitorial services, and landscaping to vendors qualified to perform such functions. The school will conduct annual reviews to ensure all auxiliary services are safe and developing appropriate policies to ensure the safety of students, staff, and guests.

Healthy Schools Act

SCALE Leadership Academy will adhere to the requirements of California Education Code Section 17608 regarding pest management. A policy will be drafted to address the management of pests while minimizing the use of pesticides, and applying preventative measures. The policy will fit appropriate components of the Integrated Pest Management (IPM) Policy adopted by the Board of Education in March, 1999.

Food Service Program

SCALE Leadership Academy will contract with an outside agency for its food service needs. Eligible students will be provided meals for free or at a reduced rate in accordance with the Federal Lunch Act. SCALE Leadership Academy will be responsible and accountable for filing all documents necessary for operating the food service program, as well as for reimbursement from the State.

Insurance Requirements

No coverage shall be provided to the charter school by the **County Board of Education** under any of the **County Board of Education's** self-insured programs or commercial insurance policies. SCALE Leadership Academy shall secure and maintain, as a minimum, insurance as set forth below with insurance companies acceptable to the **County Board of Education** [A.M. Best A-, VII or better] to protect the charter school from claims which may arise from its operations. Each charter school location shall meet the below insurance requirements individually. It shall be SCALE Leadership Academy's responsibility, not the **County Board of Education's**, to monitor its vendors, contractors, partners or sponsors for compliance with the insurance requirements.

The following insurance policies are required:

1. Commercial General Liability coverage of \$5,000,000 per Occurrence and in the Aggregate. The policy shall be endorsed to name the **County Board of Education** as *named* additional insured and shall provide specifically that any insurance carried by the **County Board of Education** which may be applicable to any claims or loss shall be deemed excess and the charter school's insurance primary despite any conflicting provisions in the charter school's policy. Coverage shall be maintained with no Self-

Insured Retention above \$15,000 without the prior written approval of the Office of Risk Management for the **County Superintendent**.

2. Workers' Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect the charter school from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers' Compensation Insurance coverage must also include Employers Liability coverage with limits of \$1,000,000/\$1,000,000/\$1,000,000.
3. Commercial Auto Liability coverage with limits of \$1,000,000 Combined Single Limit per Occurrence if the charter school does not operate a student bus service. If SCALE Leadership Academy provides student bus services, the required coverage limit is \$5,000,000 Combined Single Limit per Occurrence.
4. Fidelity Bond coverage shall be maintained by SCALE Leadership Academy to cover all charter school employees who handle, process or otherwise have responsibility for charter school funds, supplies, equipment or other assets. Minimum amount of coverage shall be \$50,000 per occurrence, with no self-insured retention.
5. Professional Educators Errors and Omissions liability coverage including Sexual Molestation and Abuse coverage, unless that coverage is afforded elsewhere in the Commercial General Liability policy by endorsement or by separate policy, with minimum limits of \$3,000,000 per occurrence.
6. Excess/umbrella insurance with limits of not less than \$10,000,000 is required of any school that participates in competitive interscholastic or intramural sports programs.

Coverages and limits of insurance may be accomplished through individual primary policies or through a combination of primary and excess policies. The policy shall be endorsed to name the **County Board of Education** as named additional insured and shall provide specifically that any insurance carried by the **County Board of Education** which may be applicable to any claims or loss shall be deemed excess and the charter school's insurance primary despite any conflicting provisions in the charter school's policy.

Evidence of Insurance

SCALE Leadership Academy shall furnish to the **County Superintendent** within 30 days of all new policies inception, renewals or changes, certificates or such insurance signed by authorized representatives of the insurance carrier. Certificates shall be endorsed as follows:

*"The insurance afforded by this policy shall not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the **County Board of Education**."*

Facsimile or reproduced signatures may be acceptable upon review by the Office of Risk Management and Insurance Services. However, the **County Board of Education** reserves the right to require certified copies of any required insurance policies.

Should SCALE Leadership Academy deem it prudent and/or desirable to have insurance coverage for damage or theft to school, employee or student property, for student accident, or any other type of insurance coverage not listed above, such insurance shall not be provided by the **County Board of Education** and its purchase shall be the responsibility of the school.

Additionally, the charter will at all times maintain a funds balance (reserve) of its expenditures as required by section 15543, Title 5 of the California Code of Regulations. Currently, the required reserve is 5% of total operational expenditures.

Hold Harmless/Indemnification Provision

To the fullest extent permitted by law, SCALE Leadership Academy does hereby agree, at its own expense, to indemnify, defend and hold harmless the **County Board of Education** and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorney's fees, brought by any person or entity whatsoever, arising out of, or relating to this charter agreement. The school further agrees to the fullest extent permitted by law, at its own expense, to indemnify, defend, and hold harmless the **County Board of Education** and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorney's fees, brought by any person or entity whatsoever for claims, damages, losses and expenses arising from or relating to acts or omission of acts committed by the charter school, and their officers, directors, employees or volunteers. Moreover, SCALE Leadership Academy agrees to indemnify and hold harmless the **County Board of Education** for any contractual liability resulting from third party contracts with its vendors, contractors, partners or sponsors.

ELEMENT G - RACIAL AND ETHNIC BALANCE

“The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.” (Ed. Code § 47605 (b)(5)(G)).

Assurances

SCALE Leadership Academy will work with neighborhood organizations to educate families about the availability of the charter school and actively recruit students from these traditionally underserved areas, in order to enroll a student population that reflects the racial, ethnic, economic, and academic balance of the surrounding community.

Anticipated Student Population

As described in our community description (located in Element One) and recruitment plan (located in Element Seven), SCALE Leadership Academy seeks to serve the families of Rialto, with a particular emphasis on reaching out to and recruiting in the underserved community of Rialto. The local public school population is 73.2% Latino, over 74.7% qualify for free or reduced lunch, and 30.9 % are English Language Learners. SCALE Leadership Academy anticipates that our students will reflect similar socioeconomic statistics. Due to the low achievement data of surrounding schools, SCALE Leadership Academy further anticipates serving a majority of students who are academically low-achieving.

No admission test will be required for enrollment, although tests may be administered to determine the appropriate course placement for students entering after fourth grade.

Federal Compliance

To the extent that SCALE Leadership Academy is a recipient of federal funds, including federal Title I, Part A funds, SCALE Leadership Academy has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the No Child Left Behind Act and other applicable federal grant programs. SCALE Leadership Academy agrees that it will keep and make available to the **County Superintendent** any documentation necessary to demonstrate compliance with the requirements of the No Child Left Behind Act and other applicable federal programs, including, but not limited to, documentation related to required parental notifications, appropriate credentialing of teaching and paraprofessional staff, the implementation of Public School Choice and Supplemental Educational Services, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB include, but are not limited to, the following:

- Notify parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher including a timely notice to each individual parent that the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified.

- Develop jointly with, and distribute to, parents of participating children, a school-parent compact.
- Hold an annual Title I meeting for parents of participating Title I students.
- Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy.

SCALE Leadership Academy also understands that as part of its oversight of the school, the Charter School Office may conduct program review of federal and state compliance issues.

ELEMENT H – ADMISSIONS REQUIREMENTS

“Admission Requirements, if applicable.” (Ed. Code § 47605 (b)(5)(H)).

Charter schools are schools of choice and admissions policies will reflect this compliance with state and federal requirements. In accordance with Education Code Section 47605 (d)(2)(A), SCALE Leadership Academy will admit all students who wish to attend, up to the school’s enrollment capacity.

SCALE Leadership Academy will:

1. Be non-sectarian in all areas of operations, including student admission
2. Not discriminate on any pupil based on actual or perceived race, ethnicity, gender, gender identity, gender expression, religion, nationality, sexual orientation, disability, or any other characteristic that is contained in the definition hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics.
3. Not charge tuition
4. Accept all students who are California residents who wish to attend, regardless of their place of residence within the state
5. Shall give preference to students that attend the school and reside in the district
6. Shall hold a random drawing in accordance with Education Code Section (d)(2) if the number of applications exceeds school capacity and give preference to students within the District
7. Not require any pupil to attend the charter school
8. Not enroll pupils over 19 years of age unless continuously enrolled in public school and making satisfactory progress toward high school diploma requirements
9. Comply with all laws establishing minimum age for public school attendance

Application Process

SCALE Leadership Academy is an open enrollment, tuition-free public school, with no specific requirements for admission. All applications will be welcome and SCALE Leadership Academy shall admit students who wish to attend the school. Students will be enrolled on a first come first serve basis. If the number of applications exceeds the school’s capacity, preference shall be extended to pupils currently attending the charter school and pupils who reside in the district. After preferences have been satisfied, and/or the number of students exceeds capacity, enrollment shall be determined by a random drawing. To be included in the admissions lottery, families must submit an application, which asks for the student’s name, grade, birthday, and contact information for the family.

The SCALE Leadership Academy application process (Intent to Enroll Form) includes:

1. Open Enrollment Period (January 2 through the first Friday in April at 5:00 p.m.)
 - a. Recruitment/Informational Meetings
 - b. Completion of application packet
2. Random Public Drawing (third Thursday in April at 7:00 p.m.)
 - a. Lottery (if necessary)
 - b. Notification of families
3. Paperwork (within two weeks of lottery)
 - a. Acceptance letter signed and mailed to school by parent/guardian

- b. Completion of all necessary paperwork, including but not limited to:
 - i. Proof of age
 - ii. Immunization records
 - iii. Home language survey
 - iv. Emergency medical information
- 4. Orientation (May-August)
 - a. Parent attendance at school orientation
 - b. Student attendance at school orientation
 - c. Parent and student signature of school Commitment to Excellence

Open Enrollment

All students interested in attending SCALE Leadership Academy will be required to complete an application form (Intent to Enroll Form) and submit this application directly to the school before the annual deadline. Applications will be available during a publicly advertised open enrollment period each year, generally beginning the first business day after January 1 and continuing through 5 p.m. on the first Friday in April. Submitted applications will be date- and time-stamped and student names added to an application roster to track receipt. Following the open enrollment period, applications will be counted to determine if any grade level has received a number of applications which exceeds available seats. In this event, the school will hold a public random lottery to determine enrollment for the impacted grade level.

Admission Preferences

If the school receives a number of applications that exceeds the number of available spaces, a public random lottery will be held to determine admission, per the requirements of Education Code 47605(d)(2), with preference for available spaces given to students in the following order:

- 1. Current SCALE Leadership Academy students
- 2. In-district siblings of currently enrolled SCALE Leadership Academy students
- 3. Out-of-district siblings of currently enrolled SCALE Leadership Academy students
- 4. In-district children of the SCALE Leadership Academy staff
- 5. Out-of-district children of SCALE Leadership Academy staff
- 6. All other District resident students
- 7. Other California residents

Pursuant to federal and state guidelines, during any period of funding under the Public Charter Schools Grant Program ("PCSGP"), the following shall apply:

- 1. The public random drawing will be held as a single weighted public drawing.
 - a. Residents of the District will be given a 2:1 weighting factor, or as otherwise agreed upon with the District.
 - b. No other preferences other than for District residents shall be used during the PCSGP funding period.
- 2. Exemptions from the public random drawing.
 - a. The following categories of students will be exempt from the public random drawing:
 - i. Students currently enrolled in the Charter School

- ii. Siblings of currently enrolled students
- iii. Children of Charter School staff
- b. No other exemptions other than those listed above in 2(a)(i) through 2(a)(iii) shall be used during the PCSGP funding period.
- c. The sum of all exemptions for children of Charter School staff will not exceed 10% of total enrollment.

The Charter School and District mutually agree that the preferences in the public random drawing as listed above are consistent with Education Code Section 47605(d)(2) and applicable federal law and non-regulatory guidance; however, should the preferences require modification in order to meet requirements of the PCSGP, such modifications may be made at the Charter School's discretion without any need to materially revise the charter as long as such modifications are consistent with the law and written notice is provided by the Charter School to the District.

Public Random Lottery

In the event that a lottery is required, families intending to enroll their children who submitted completed application packets by the deadline of 5:00 p.m. the first Friday of April will be notified in writing regarding the date, time, and location of the public lottery, and rules for the lottery process. If needed, the lottery will be held the third Thursday of April, at 7:00 p.m.. The lottery will be held at the school each year, except the first year when it may be hosted at another location near the school's facility.

Before beginning the drawing, rules for the lottery will be explained in English and Spanish. Each grade's lottery will be conducted separately, beginning with grade four, and will be further subdivided into groups that represent each of the school's identified preference categories.

The lottery itself will be conducted by pulling slips of paper identified with applicant numbers out of a container, beginning with the students who receive preference as allowed by law and specified in our charter. Slips will be pulled until all openings are filled and then all remaining slips will be drawn to create a waiting list with preference give to students residing in the District.

The lottery will be facilitated by an uninterested third party and fair execution of the lottery will be verified by an officer of the SCALE Leadership Academy Board of Directors. Copies of all application packets, lottery results, and waiting lists will be readily available for inspection at the school office.

Acceptance letters will be distributed to families whose students earn space through the lottery. All families, including those whose children are admitted through the lottery but are not present at the time of the drawing, will be notified by mail. All admitted students must return acceptance letters within two weeks of the lottery to secure their seat.

Waiting List

The waiting list will be established from the applications that do not receive admission and shall be used to fill enrollment vacancies that occur during the year. If a position opens during the

school year, the school will contact the family at the top of the wait list to offer their student admission to the school. Should the family decline the seat or fail to respond within 48 hours, the next family on the list will be contacted until the open position is filled. Students who submit applications after the deadline will be added to the end of the waiting list in the order received.

Attendance Accounting

SCALE Leadership Academy will utilize an appropriate student information system for attendance tracking and reporting purposes and will utilize attendance accounting procedures that satisfy requirements for **County Board of Education**, and CDE. Required reports will be completed regarding daily attendance and submitted to the requesting agencies. This includes reporting enrollment and attendance figures to the **County Superintendent** as required by the **County Superintendent**. SCALE Leadership Academy shall provide to the **County Superintendent** the following information for each academic year:

- List of all highly qualified Certificated Personnel in core subjects as defined in No Child Left Behind and State policy and regulations
- Total School Enrollment
- List of Emergency Credentialed Teachers in non-core subjects
- Number of Students by Grade Level
- Unfilled Classroom Teacher Positions
- Number of Students by Ethnicity & Grade Level
- Fiscal Year-End Financial Report
- Number of Students Living Outside RUSD Attendance Area

ELEMENT I – ANNUAL INDEPENDENT FINANCIAL AUDITS

“The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.” (Education Code § 47605(b)(5)(I)).

Independent Charter Status

SCALE Leadership Academy will be a fiscally independent, directly funded charter school.

Budgets

Each spring SCALE Leadership Academy will establish an annual budget, monthly cash flow projections, and a three-year financial projection. The School Director with the support of the CSDC will prepare the budget and work with the Finance Committee of the Board to ensure the budget meets the programmatic needs of the school within the anticipated revenue. The annual budget will include all estimated revenues and expenditures for the year and will also include ample reserves to accommodate cash flow challenges. At this time, a number of contingency budgets will be prepared to provide a framework in the case of an unexpected increase in expenses or cut in revenue.

The budget development process will begin in March of the preceding fiscal year and continue through the Governor’s May revisions of the State budget. The budget and three-year projections will then be presented to the SCALE Leadership Academy Board of Directors for discussion and approval.

The School Director and Finance Committee will review monthly cash flow statements and will present comprehensive budget updates to the Board at least four times each fiscal year. The School Director and Board of Directors will also recommend formal budget revisions as needed to ensure financial stability and adequate cash flow.

The SCALE Leadership Academy Board will create formal policies regarding the deposit of funds, investment procedures, and internal financial controls.

SCALE Leadership Academy’s first year operational budget, as well as cash flow and financial projections for the first five years can be found in **Attachment 6**.

Business Management

The School Director of SCALE Leadership Academy will assume the lead responsibility for financial matters at the school under the policies adopted by and oversight provided by the school’s Board of Directors. The School Director may work a back office support provider (i.e. EdTec, CSMC, or EdFutures) to manage the day-to-day financial management needs of the school and/or anticipate contracting with a vendor for back office support. The school will select a firm based on experience, comparative cost analysis with organizations that offer similar

services, and customer satisfaction.

The School Director will work with the back office support provider to manage the school's financial operations. Contracted services may include, but are not limited to, budgeting, fiscal planning, vendor services, personnel and payroll, accounts payable, attendance tracking systems, completion and submission of compliance reports, and monitoring adherence to the charter process and laws.

SCALE Leadership Academy and their contracted business services provider will employ all Generally Accepted Accounting Principles (GAAP).

Annual Audit

SCALE Leadership Academy will develop and implement controls necessary to gather and prepare information for all jurisdictional and financial reporting requirements. The School Director and Finance Committee of the Board will be knowledgeable about the audit guide "Standards and Procedures for Audits of California K-12 Local Educational Agencies" and, as required under Ed. Code § 47605 (b)(5)(I), the school will hire an independent auditor to conduct a complete fiscal audit of the books and records of SCALE Leadership Academy.

The Finance Committee will select an independent auditor through a request for proposal format. The auditor will have, at minimum, a CPA and experience working with educational institutions (preferably charter schools) and approved by the State Controller on its published list as an educational audit provider.

At the conclusion of the audit, the School Director and back office support provider along with the Finance Committee, will review any audit exceptions or deficiencies, and report them to the SCALE Leadership Academy Board of Directors with recommendations on how to resolve them. The Board will submit a report to the **County Superintendent** describing how the exceptions or deficiencies have been or will be resolved to the satisfaction of the **County Board of Education** along with an anticipated timeline.

The annual audit should be completed within four months of the close of the fiscal year and a copy of the auditor's findings will be forwarded to the **County Superintendent**, the State Controller, the CDE, and any other required agencies by the 15th of December each year.

The independent fiscal audit of the Charter School is public record to be provided to the public upon request.

Reporting Requirements

SCALE Leadership Academy will submit the following reports to RUSD, SBCOE, and/or CDE, as required:

- Provisional Budget – June 15 prior to operating budget
- Final Budget - July 1 of the budget fiscal year
- First Interim Projections - December 15 of Operating Fiscal Year
- Second Interim Projections - March 15 of Operating Fiscal Year

- Unaudited Actuals - September 15 following the end of the Fiscal Year
- Classification Report – monthly the Monday after close of the last day of the school month
- Statistical Report - monthly the Friday after the last day of the school month
- California Basic Educational Data System (CBEDS) – October 23 (**County Superintendent**), October 31 (CDE)
- In addition:
 - P1, first week of January
 - P2, the first week of May
 - Audited Financial Statements - December 15 (also to State Controller, State Department of Education and County Superintendent of Schools)
- Other reports requested by the **County Superintendent**

SCALE Leadership Academy will promptly respond to all reasonable inquiries from the **County Superintendent**, including but not limited to inquiries regarding financial records, and will consult with the **County Superintendent** regarding any inquiries.

County Superintendent Oversight Costs

The **County Superintendent** may charge for the actual costs of supervisorial oversight of SCALE Leadership Academy not to exceed 1% of the charter school's revenue, or the **County Superintendent** may charge for the actual costs of supervisorial oversight of the Charter School not to exceed 3% if the school is able to obtain substantially rent free facilities from the **County Superintendent**. Notwithstanding the foregoing, the **County Superintendent** may charge the maximum supervisorial oversight fee allow under the law as it may change from time to time.

The **County Superintendent** may charge for the actual costs of supervisory oversight of SCALE Leadership Academy, not to exceed 1 percent of the revenue of the charter school as defined by Ed Code 47613 (f). If the charter school is able to obtain substantially rent-free facilities from the **County Superintendent**, the **County Superintendent** may charge for the actual cost of supervisory oversight of the charter school not to exceed 3 percent of the revenue of the charter schools as defined by 47613 (f). The **County Superintendent** may charge indirect costs for grants processed for SCALE Leadership Academy, not to exceed the rate allowed by the grant.

The **County Superintendent** may, at its discretion, provide services to SCALE Leadership Academy on a fee- for-service basis, if requested by the charter school to do so. In such a case, the **County Superintendent** will determine the cost of providing such services including the overhead cost associated with such service incurred by the office providing the service.

ELEMENT J – SUSPENSION AND EXPULSION PROCEDURES

The procedures by which students can be suspended or expelled.” (Ed. Code § 47605 (b)(5)(J)).

Discipline Policy

SCALE Leadership Academy will create a school culture where students are able to focus on learning. Our goal is to create a school culture that reinforces positive behavior and eliminates the distractions caused by student misbehavior. Expectations for appropriate behavior will be clearly articulated to students and families during orientation and will be provided as written policy in a Student and Family Handbook.

Teachers will be trained to use effective classroom management strategies to maximize instruction and minimize student misbehavior, and there will be school-wide systems for assigning both positive and negative consequences. Students who do not adhere to stated expectations for behavior and who violate the school rules may expect consequences for their behavior. Consequences may include, but are not limited to:

- Warning, verbal and/or written
- Loss of privileges
- Referral to the School Director
- Notices to parents by telephone or letter
- Parent conference
- Suspension
- Expulsion

Suspension and Expulsion Policy and Procedure

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the noncharter schools’ list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School’s policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee’s use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Principal's office.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at anytime including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.

- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out,

which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act (defined as the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager) directed specifically toward a pupil or school personnel. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including acts one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - 1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - 2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - 3. Causing a reasonable student to experience substantial interference with his or her academic performance.

4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School

- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.

2. Non- Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.

3. Discretionary Expellable Offenses: Students may be expelled for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.

- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the

threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act (defined as the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager) directed specifically toward a pupil or school personnel. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including acts one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - 1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - 2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - 3. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - 4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School

- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.

4. Non -Discretionary Expellable Offenses: Students must be expelled for any of the following acts when it is determined pursuant to the procedures below that the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.

If it is determined by the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Principal or designee.

The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or Charter School personnel. If a student is suspended without

this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of Expulsion by the Principal or Principal's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Principal or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

A student may be expelled either by the Charter School Board following a hearing before it or by the Charter School Board upon the recommendation of an Administrative Panel to be assigned by the Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the Charter School's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Principal or designee determines that the Pupil has committed an expellable offense.

In the event an administrative panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the Pupil makes a written request for a public hearing three (3) days prior to the hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The notice shall include:

- 1) The date and place of the expulsion hearing;
- 2) A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
- 3) A copy of the Charter School's disciplinary rules which relate to the alleged violation;
- 4) Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
- 5) The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
- 6) The right to inspect and obtain copies of all documents to be used at the hearing;
- 7) The opportunity to confront and question all witnesses who testify at the hearing;
- 8) The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.

6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be

admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board who will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The Decision of the Board is final.

If the Administrative Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

I. Written Notice to Expel

The Principal or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: Notice of the specific offense committed by the student; and Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

The Principal or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: a) The student's name b) The specific expellable offense committed by the student

J. Disciplinary Records

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the authorizer upon request.

K. No Right to Appeal

The pupil shall have no right of appeal from expulsion from the Charter School as the Charter School Board's decision to expel shall be final.

L. Expelled Pupils/Alternative Education

Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence.

The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

M. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Principal or designee and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

O. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities

1. Notification of SELPA

The Charter School shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student who the Charter School or SELPA would be deemed to have knowledge that the student had a disability. If the Charter School remains a public school of the District for special education purposes the Charter School will notify the District and follow the District's procedures for the suspension and expulsion of a student with a disability, and will not move forward with the expulsion without District agreement.

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

- a) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b) If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If the Charter School, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

- a) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b) If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c) Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP/504 team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and the Charter School agree otherwise.

5. Special Circumstances

Charter School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Principal or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a) Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function;
- b) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c) Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 team.

7. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEIA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

The Charter School shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

- a) The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b) The parent has requested an evaluation of the child.

c) The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEIA-eligible children with disabilities, including the right to stay-put.

If the Charter School had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. The Charter School shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the education placement determined by the Charter School pending the results of the evaluation.

The Charter School shall not be deemed to have knowledge of that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

ELEMENT K - STRS, PERS, AND SOCIAL SECURITY COVERAGE

“The manner by which staff members of the charter schools will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System, or Federal Social Security.” (Education Code § 47605(b)(5)(K)).

Assurances

SCALE Leadership Academy’s school director will make any contribution that is legally required of the employer, including STRS, PERS, Social Security and unemployment insurance.

State Teachers’ Retirement System

SCALE Leadership Academy certificated teachers and eligible administrators shall be a part of the State Teachers' Retirement System (STRS). Employees will accumulate service credit years in the same manner as all other members of STRS.

Non-Certificated Employees’ Retirement

Other employees shall be covered by the Public Employees' Retirement System (PERS), PARS and Medicare or Social Security, as appropriate.

Reporting

Retirement reporting will be contracted out to a qualified service provider, however, the School Director will be responsible for ensuring that such retirement coverage is arranged.

SCALE Leadership Academy shall forward any required payroll deductions and related data to the San Bernardino County Office of Education (SBCOE) as required by Education Code 47611.3 and 41365.

Personnel Policies and Procedures

- As such, SCALE Leadership Academy will comply with all provisions of the Educational Employment Relations Act (EERA) and will act independently from the **County Superintendent** for bargaining purposes. In accordance with the EERA, employees may join and be represented by an organization of their choice for collective bargaining purposes. However, unless the employees elect to be represented by an organization for bargaining purposes, all employees will be individually contracted.
- The Board of Directors will approve a salary schedule for the school. This salary schedule will be based on, but not limited to, the salary SCALE of the Rialto Unified School District, the salaries of leading private and charter schools in Rialto and surrounding communities, and best practices in salary schedules among national charter schools. Administrative and staff salaries will be set at the discretion of the School Director, based on the candidate’s experience and responsibilities. The Board of Directors will set the salary of the School Director.

- A comprehensive benefits package (medical, dental, and retirement) will be included as part of each full-time employee's compensation.
- The school calendar (vacations, holidays, hours, etc.) will be set by the School Director and approved by the Board each year.
- All employees of SCALE Leadership Academy will be at-will employees. The terms and conditions for employment at SCALE Leadership Academy will be reviewed in detail during the interview process and reiterated in an offer of employment.
- SCALE Leadership Academy will comply with all State and Federal laws concerning the maintenance and disclosure of employee records.
- Teachers of core content areas at SCALE Leadership Academy (English Language Arts, Math, Science, and Social Studies) will be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold.
- Copies of each teacher's credentials will be kept on file in the main office and will be readily available for inspection. School administration will review teacher credentials annually.
- Details of the SCALE Leadership Academy staff selection model may be found in *Element E: Employee Qualifications*.
- The Board of SCALE Leadership Academy will conduct an annual performance review of the School Director. The School Director will be responsible for completing all other staff evaluations, based on an evaluation process that includes multiple measure of performance, including annual formal observations, monthly informal observations, staff self-reflection, and student achievement data.
- The Board of SCALE Leadership Academy will adopt a formal process for resolving complaints and grievances that will ensure due process for all parties.

Procedures for Resolving Complaints/Grievances

If an employee has a grievance, the first step in attempt to resolve the dispute is to engage in a good faith effort with the SCALE Leadership Academy administrative staff. The good faith effort will include problem identification, possible solutions, selection of resolution, a timeline for implementation, and follow-up. If the good faith effort is unsuccessful, the employee may submit a written complaint to the Chair of the Board of Directors of SCALE Leadership Academy. The Chair will schedule a hearing of the Board or at a mutually convenient time and place for discussion of the complaint with all parties involved, but in no event later than thirty (30) calendar days after receipt of the written complaint and after notification to the employee. Board members who are interested parties will exclude themselves from grievance procedures if such members have a conflict of interest in the subject of the proceedings. A decision as established by a majority vote of the members of the Board of Directors hearing the grievance will be rendered within ten working days of completion of the hearing. In the event that additional information, investigation, or hearings are necessary after the initial hearing, the hearing may be continued and the final decision will be made within ten working days after the last hearing. The decision of the Board of Directors will be final.

ELEMENT L – ATTENDANCE ALTERNATIVES

“The public school attendance alternatives for pupils residing within the school district that choose not to attend charter schools.” (Ed. Code § 47605 (b)(5)(L)).

SCALE Leadership Academy is a school of choice and, as such, no student may be required to attend. Pupils who choose not to attend SCALE Leadership Academy may choose to attend other public schools in their district of residence or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of the district.

The address of SCALE Leadership Academy is to be determined.

The phone number of SCALE Leadership Academy is currently 888-416-7737.

The contact person for SCALE Leadership Academy is Lawrence Wynder.

The number of rooms at the school is not known at this time.

The grade configuration is grades six through eight.

The number of students in the first year will be 125.

The grade level of the students the first year will be sixth.

The opening date of the charter school is August 29, 2011.

The admission requirements include: See *Element H*.

The instructional calendar will be 190 days.

The bell schedule for the charter school will be: See *Element A*.

If space is available, traveling students will have the option to attend.

Pupils will be informed that admissions to SCALE will not guarantee admission into **County Superintendent** or any of its programs.

ELEMENT M – RIGHTS OF DISTRICT EMPLOYEES

“A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.” (Education Code § 47605(b)(5)(M)).

Employees of the District or **County Superintendent** who choose to leave the employment of the District or **County Superintendent** to work at SCALE Leadership Academy shall have no automatic rights of return to the District or **County Superintendent** after employment at the Charter School unless specifically granted by the District or **County Superintendent** through a leave of absence or other agreement or policy of the District or **County Superintendent** as aligned with the collective bargaining agreements of the District or **County Superintendent**. Former District or **County Superintendent** employees must consult with the District or **County Superintendent** to determine their eligibility for leave.

ELEMENT N – DISPUTE RESOLUTION

“The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.” (Education Code § 47605(b)(5)(N)).

Disputes Arising Within SCALE Leadership Academy

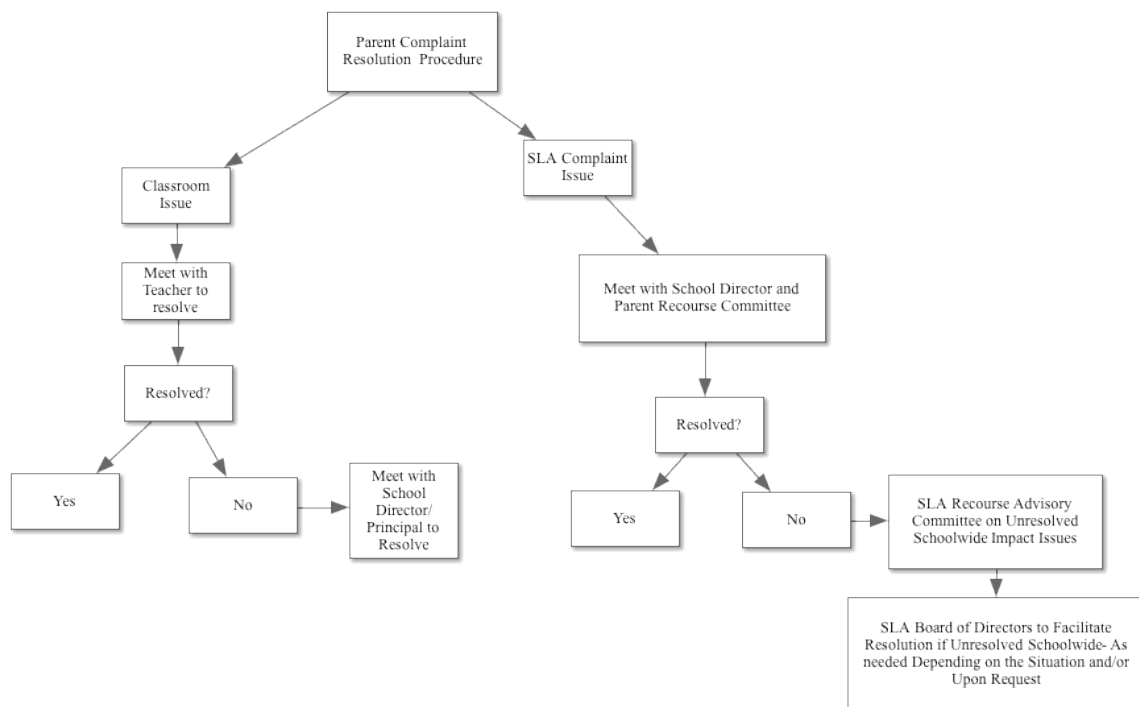
Disputes arising from within SCALE Leadership Academy including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and governing board members of the school will be resolved by the SCALE Leadership Academy Board of Directors and/or School Director. SCALE leadership Academy asks the **County Superintendent** not to intervene or become involved in the internal dispute unless the internal dispute has given the **County Superintendent** reasonable cause to believe that a violation under Education Code Section 47607(c) has occurred or unless SCALE Leadership Academy has requested the **County Superintendent** to intervene in the internal dispute.

General Complaint procedures to address internal issues or internal disputes that may arise between staff, the charter school, and parents:

a. Parent Internal Complaint Resolution Procedures

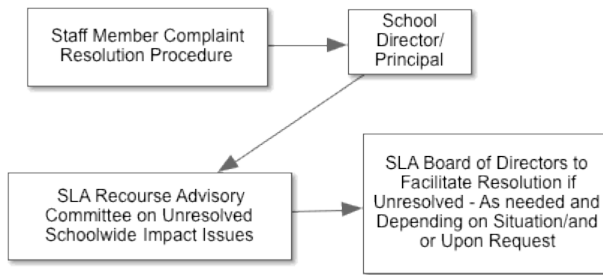
SCALE Leadership Academy will provide the following resources to resolve parent complaints

1. Classroom Teacher
2. Parent Recourse Advisory Committee
3. School Director/Principal
4. Charter School Recourse Advisory Committee
5. SCALE Leadership Academy Board of Directors



a. Staff (certificated, classified) Internal Complaint Resolution Procedures

SCALE Leadership Academy will provide the following resources to resolve staff member complaints



Disputes Between SCALE and the Rialto Unified School District

If the **County Superintendent** determines that a violation of the Charter, MOU or law may have occurred or a problem has arisen related to the operation of the Charter School or the **County Superintendent's** oversight obligations, or a dispute otherwise arises between the **County Superintendent** and the Charter School the following procedures shall be followed to resolve the dispute:

1. Should the **County Superintendent** determine in writing that the violation or issue in question constitutes a severe and imminent threat to the health or safety of the pupils, it shall not be bound by any portion of this dispute resolution process and may commence revocation proceedings immediately or take action as it deems necessary.
2. If the violation or issue in question does not constitute a severe and imminent threat, the **County Superintendent** will provide oral or written notification of the violation or issue. The date that this notice is orally provided or sent shall be the "Notice Date." This notice will constitute the notice required under the provisions of Education Code 47607(d) prior to revocation of a charter. Upon issuance of this notice, a meeting will be scheduled to discuss and possibly resolve the dispute. Both parties must have representatives present at this meeting and under no circumstances will the meeting be held more than ten (10) calendar days after the Notice Date. The **County Superintendent** representative at the meeting will be the Superintendent or the Superintendent's designee, and the Charter School representative will be the Charter School Director. If the dispute is not resolved at this meeting, the parties will proceed to step 3.
3. The **County Superintendent** shall send written notification to the School setting forth the violation or issue and demanding that it be cured. The School shall have a reasonable amount of time not to exceed thirty (30) calendar days, or such longer period as is agreed to in writing between both parties, after the date such written notice is sent to cure the violation or issue. All periods of time from the Notice Date through the completion of this formal time given for cure (as well as any time during which any informal attempts at resolution are required of the parties), shall constitute the reasonable cure period required by Education Code Section 47607 prior to revocation of a charter. If the violation or issue is not cured within this time period, the parties will proceed to Step 4.

4. The **County Board of Education** may commence revocation of the Charter and/or other appropriate action in accordance with Education Code Section 47607 or applicable law.

The parties shall exchange information as necessary to avoid disputes and assist in curing disputes and shall use their best efforts to resolve disputes between them at the earliest possible time.

In the event of a dispute raised by the charter school against the **County Superintendent** over the terms of the charter, the charter school shall put the dispute in writing to the Superintendent or designees, and the **County Superintendent**, or Designee shall meet with the Principal and President of the Charter School to seek resolution within two weeks of receiving the written complaint. After this meeting if resolution is not reached, both parties are free to pursue any other legal remedy available. However, mediation may be commenced with the agreement of both the **County Superintendent** and the Charter School, with the costs of the mediator to be split by both parties.

ELEMENT O – EXCLUSIVE PUBLIC SCHOOL EMPLOYER

“A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of division 4 of Title 1 of the Government Code).” Ed. Code § 47605 (b)(5)(O).

SCALE Leadership Academy will be the exclusive public employer of employees of the charter school for collective bargaining purposes. As such, SCALE Leadership Academy will comply with all provisions of the Educational Employment Relations Act (EERA) and will act independently from the **County Superintendent** for bargaining purposes.

ELEMENT P – CLOSURE PROCEDURES

“A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.” (Education Code § 47605(b)(5)(P)).

Charter Term

SCALE Leadership Academy seeks a five-year charter from the **County Board of Education**.

Charter Renewal

The Charter School must submit its renewal petition to the **County Superintendent’s** Charter Schools Division no earlier than September of the year before the charter expires.

Revocation

The **County Board of Education** may revoke the charter of SCALE Leadership Academy if SCALE Leadership Academy commits a breach of any terms of its charter. Further, the **County Board of Education** may revoke the charter if SCALE Leadership Academy commits a breach of any provision set forth in a policy related to charter schools adopted by the **County Board of Education** and/or any provisions set forth in the Charter School Act of 1992. Furthermore, the **County Board of Education** may revoke the charter of the SCALE Leadership Academy on any of the following grounds:

- SCALE Leadership Academy committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
- SCALE Leadership Academy failed to meet or pursue any of the pupil outcomes identified in the charter.
- SCALE Leadership Academy failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- SCALE Leadership Academy violated any provision of law.

Prior to revocation, and in accordance with California Education Code Section 47607(d), the **County Board of Education** will notify SCALE Leadership Academy in writing of the specific violation, and give SCALE Leadership Academy a reasonable opportunity to cure the violation, unless the **County Board of Education** determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils. Notwithstanding the immediately preceding language, revocation proceedings are not subject to the dispute resolution clause set forth in this charter.

Closure Procedures

Closure of the Charter School will be documented by official action of the Board of Directors. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

The Board of Directors will promptly notify parents and students of the Charter School, the San Bernardino County Office of Education, the Charter School’s SELPA, the retirement systems

in which the Charter School's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school districts of residence; and the manner in which parents/guardians may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The Board will ensure that the notification to the parents and students of the Charter School of the closure provides information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Board's decision to close the Charter School.

The Board will also develop a list of pupils in each grade level and the classes they have completed, together with information on the pupils' districts of residence, which they will provide to the entity responsible for closure-related activities.

As applicable, the Charter School will provide parents, students and the **County Superintendent** with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. The Charter School will ask the **County Superintendent** to store original records of Charter School students. All records of the Charter School shall be transferred to the **County Superintendent** upon Charter School closure. If the **County Superintendent** will not or cannot store the records, the Charter School shall work with the County Office of Education to determine a suitable alternative location for storage.

All state assessment results, special education records, and personnel records will be transferred to and maintained by the entity responsible for closure-related activities in accordance with applicable law.

As soon as reasonably practical, the Charter School will prepare final financial records. The Charter School will also have an independent audit completed within six months after closure. The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the **County Superintendent** promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the Charter School.

The Charter School will complete and file any annual reports required pursuant to Education Code section 47604.33.

On closure of the Charter School, all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the Charter School and shall be distributed in accordance with the Articles of Incorporation upon

the dissolution of the non-profit public benefit corporation to a nonprofit fund, foundation, or association which is organized and operated exclusively for educational, public or charitable purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any assets acquired from the **County Superintendent** or **County Superintendent** property will be promptly returned upon Charter School closure to the **County Superintendent**. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

On closure, the Charter School shall remain solely responsible for all liabilities arising from the operation of the Charter School.

As the Charter School is operated as a non-profit public benefit corporation, should the corporation dissolve with the closure of the Charter School, the Board will follow the procedures set forth in the California Corporations Code for the dissolution of a non-profit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

As specified by the Budget in **Attachment 6** the Charter School will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

Facilities

If SCALE Leadership Academy fails to submit a certificate of occupancy issued by the applicable permitting agency to the **County Superintendent** not less than 45 days before the school is scheduled to open, it may not open unless the Charter Schools Division makes an exception. If SCALE Leadership Academy moves or expands to another facility during the term scheduled to open in the facility or facilities. SCALE Leadership Academy shall not open in any location for which it has failed to timely provide a certificate of occupancy to the **County Superintendent**, unless the Charter Schools Division makes an exception. Notwithstanding any language to the contrary in this charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process (Element N) of this charter, we shall provide a certificate of occupancy to the **County Superintendent** for each facility at least 45 days before school is opened.

ELEMENT Q – FACILITIES

“The facilities to be utilized by the school. The description of facilities to be used by the charter school shall specify where the school intends to locate.” (Education Code Section 47605(G)).

“A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district.” (Education Code Section 47605(a)(1)).

School Location

SCALE seeks to locate the school consisting of grades 6-8 on a middle or elementary school campus and shall seek Proposition 39 facilities from the District for this purpose. Should a school campus be unavailable, SCALE will seek other facilities that meet the school’s needs. The following information provides a description of the facilities needs of SCALE Leadership Academy for its proposed school for year one.

Space Needed	Description
Instructional Classrooms	6 Classrooms
Project Space	2 Classrooms
Principal Office	Main Office
Reception Area	Main Office
Conference Room	Main Office
Physical Education Area	Outside Area and Gym/Activity Area
Administrative Office	Main Office Area
Assembly/Presentation Area	Auditorium/Stage
Storage Area	3 Storage Spaces
Lunch/Nutrition Area	Outside Space

SCALE Leadership Academy has also contacted local real estate agents and possible sites for the following locations:

1. 488 S. Yucca Avenue
2. 2733 S. Vista Avenue
3. 1485 S. Lilac Avenue
4. 1188 W. Leiske Drive
5. 1851 N. Riverside Avenue
6. 3700 S. Riverside Avenue

SCALE Leadership Academy anticipates a need of 10,000 to 20,000 square feet for year one. SCALE anticipates that the cost for leasing a facility to house our school will be approximately .49 to .86 per square foot for a total of \$125,000 for year 1. SCALE Leadership Academy will consult with the City of Rialto Planning Department to acquire the required permits for the school’s use of our school location prior to opening.

ELEMENT R – ADMINISTRATIVE SERVICES

“The manner in which administrative services of the School are to be provided.” (Education Code Section 47605(g)).

The School Director will assume the lead responsibility for administering the School under the policies adopted by the SCALE Leadership Academy Governing Board/Board of Directors. The petitioners anticipate that most of its administrative services, including but not limited to financial management, human resources, payroll, and attendance accounting will be procured through a appropriate qualified third-party contract. A copy of any contract for back office services shall be provided to the **County Superintendent** prior to opening.

Should the **County Superintendent** be interested and/or willing to offer certain services to the Charter School for a fee from the **County Superintendent**, the Charter School shall consider the possibility of purchasing some of these or other services from the **County Superintendent**. The specific terms and cost for these services will be the subject of an annual memorandum of understanding (“MOU”) between the Charter School and the **County Superintendent**.

SCALE will work closely with various consultants and advisors to ensure the successful operations of SLA. Attached hereto as **Attachment 7** is a list consultants and advisors expected to be utilized by SLA to support its mission.

SLA is also a member of the California Charter Schools Association. A copy of its membership certificate is attached as **Attachment 8**.

ELEMENT S – IMPACT ON THE CHARTER AUTHORIZER

“Potential civil liability effects, if any, upon the school and upon the District.” (Education Code Section 47605(g)).

SCALE Leadership Academy shall be operated by a California non-profit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701d.

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the Charter School if the authority has complied with all oversight responsibilities required by law. The Charter School shall work diligently to assist the **County Superintendent** in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other **County Superintendent** requested protocol to ensure the **County Board of Education** shall not be liable for the operation of the Charter School.

Further, the Charter School and the **County Board of Education** shall enter into a memorandum of understanding which shall provide for indemnification of the **County Board of Education** by the Charter School. Insurance amounts will be determined by recommendation of the insurance company for schools of similar size, location, and type of program. The **County Board of Education** shall be named an additional insured on the general liability insurance of the Charter School.

SCALE Leadership Academy will institute appropriate risk management practices in accordance with the health and safety policies and practices provided herein.

CONCLUSION

The signatures submitted in Attachment 10 are pursuant to Education Code Section 47605(a)(1)(B). Said signatures fulfill the condition that the petition be signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation.

By approving this charter, **County Board of Education** will be fulfilling the intent of the Charter Schools Act of 1992 to improve pupil learning; increase learning opportunities for all pupils with special emphasis on expanded learning opportunities for all pupils who are identified as academically low achieving; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of charter schools. The Petitioners are eager to work independently, yet cooperatively with the **County Board of Education and the County Superintendent** to raise the bar for what a charter school can and should be. To this end, the Petitioners pledge to work cooperatively with the **County Board of Education and the County Superintendent** to answer any concerns over this document, to negotiate a mutually agreeable memorandum of understanding, and to present the **County Board of Education and the County Superintendent** with the strongest possible proposal requesting a five-year term to begin operation in August 2011. SCALE Leadership Academy shall be considered approved as of the date of charter approval. Renewal of the charter shall be governed by the standards and criteria in Education Code Section 47605 and Education 47607 as applicable.
